The
CHRISTIAN CENTURY
A Journal of Religion

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Citizenship and Conscience

What Shall American Citizens Do With the Supreme Court's Decision in the Macintosh Case?

Fifteen Cents a Copy—January 20, 1932—Four Dollars a Year

JAN 19 1932

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Here is a page from "The Daily Altar"

THE DAILY ALTAR *Thirty-Sixth Week*

Thursday

Theme for the Day—*The Unfailing Light.*

The sense of continual expansion of life, through the presence of Christ, is an element in all Christian experience. In wisdom, in patience, in efficiency, in good-will, in love, in all the graces of spiritual character, the way grows brighter and the landscape fairer as our Lord leads us on. When momentary darkness falls upon our outer path, we have God's unfailing inner light, the glowing word of His revelation which we have learned to treasure in our heart. If we hold fast to the light He gives us, and walk by it in the shadow, He will lead us forth into increasing day, and forward into new and fairer fields of experience.

✦

Scripture—Thy word is a lamp unto my feet, and a light unto my path.—*Psalms* 119:105.

But the path of the righteous is as the shining light, that shineth more and more unto the perfect day.—*Prov.* 4:18.

✦

If I stoop
Into a dark, tremendous sea of cloud,
It is but for a time; I press God's lamp
Close to my breast; its splendor, soon or late,
Will pierce the gloom; I shall emerge one day.
—Robert Browning ("Paracelsus.")

✦

Prayer—O Thou God of all comfort and peace, we adore Thee as the Giver of all that we need. Thy mercies are unfailing, and all Thy gifts to us are fitted to our best desires. In the way that we take be Thou our companion and guide. May the clear shining of the light of Thy Word and Thy Spirit save us from all misadventure and defeat. We would learn more trustfully to walk by faith, and not by sight. And may we not fail to find at last Thy glory. For we ask in the name and through the grace of Jesus Christ our Lord.—*Amen.*

[250]

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Declaration of an American Citizen

WHEREAS, the Supreme Court of the United States has refused citizenship to Professor Douglas Clyde Macintosh on the ground that he was unwilling to promise to subject his conscience to an act of Congress in the event of a war which he believed to be unjust and contrary to the will of God; and

WHEREAS, the ground upon which the Court's decision rested was the alleged fact that every native-born citizen of the United States has impliedly made the identical promise which Mr. Macintosh refused to make, and that to admit Mr. Macintosh with such a reservation of conscience would give him a privileged status as a citizen in comparison with the status of native-born citizens; and

WHEREAS, the Supreme Court's decision, together with the argument on which it rests, affects not only an applicant for naturalization but every native-born citizen, whether he be willing or unwilling to bear arms in event of war, and lends itself to a justification of any form of tyranny over the free conscience of American citizens; and

WHEREAS, the Supreme Court, referring to Professor Macintosh, says:

> "When he speaks of putting his allegiance to the will of God above his allegiance to the government, it is evident . . . that he means to make his own interpretation of the will of God the decisive test. . . . We are a Christian people. . . . But we are also a nation with the duty to survive, . . . a nation whose government must go forward upon the assumption . . . that unqualified allegiance to the nation and submission and obedience to the laws of the land, as well those made for war as those made for peace, are not inconsistent with the will of God;" and

WHEREAS, it is a fundamental principle of democracy that conscience shall not be sacrificed to the state, but that the state accepts the responsibility of so fashioning its policies that it will enlist the support of the free consciences of its citizens; and

WHEREAS, no principle contributes so much to the moral dignity and to the purifying and stabilizing of democracy as the guarantee of a free conscience to all its citizens and an unhindered right to worship and serve God according to the dictates of a free conscience; and

WHEREAS, in his dissenting opinion in this same case Chief Justice Charles Evans Hughes, with the concurrence of Justices Brandeis, Holmes and Stone, denied that the Constitution and the oath of allegiance can rightly be made to bear the interpretation advanced by the majority of the Court, and affirmed the contrary view as follows:

> "In the forum of conscience, duty to a moral power higher than the state has always been maintained. The reservation of that supreme obligation, as a matter of principle, would unquestionably be made by many of our conscientious and law abiding citizens. The essence of religion is belief in a relation to God involving duties superior to those arising from any human relation. . . . One cannot speak of religious liberty, with proper appreciation of its essential and historic significance, without assuming the existence of a belief in supreme allegiance to the will of God;" and

WHEREAS, in so far as citizens assent to the doctrine advanced by the Court's decision they consent to the nullification of the most basic principle of ethical religion, and surrender their own and the church's freedom to preach and practice that truth which is the vital breath of any spiritual faith, namely, that God alone is Lord of the conscience, and that we must obey God rather than men; and

WHEREAS, if native-born American citizens allow the imputation of such an obligation to pass without protest, they thereby acquiesce in a ruling which is not only, in the language of Chief Justice Hughes, "repugnant to the fundamental principle of representative government," but which radically modifies the spirit of our democracy and smothers spiritual religion by setting up the state as the supreme object of devotion beyond which religion dare not go; and

WHEREAS, it is required of citizens when entering upon public office, whether federal or state, and when applying for passports, and on many other occasions, to take the oath of allegiance which, under this decision, now implies the giving of an absolute pledge to hold their personal consciences in subservience to the will of Congress as the final interpretation of the will of God; now

THEREFORE, I, a native-born citizen of the United States, solemnly refuse to acknowledge the obligation which the supreme court declares to be binding upon native-born citizens. I have not promised, expressly or tacitly, to accept an act of Congress as the final interpretation of the will of God, and I will not do so. In my allegiance to my country I withhold nothing, not even my life. But I cannot give my conscience. That belongs to God. I repudiate the obligation which the Supreme Court's decision would impose upon me, and declare that the imposition of such an obligation is the essence of tyranny. I refuse to be bound by it.

I further solemnly declare that until this intolerable restriction upon conscience and religion has been removed, I will not take the oath of allegiance upon any occasion without adding thereto a reservation of the right of conscience and of my supreme allegiance to the will of God.

And I further solemnly declare that I will use whatever influence is within my power, in my personal relations or in public address, to inform others and to awaken them to the peril in which this decision involves their traditional and most fundamental liberty, and I will do all that lies within my power to secure a reversal of this decision by the court itself or its correction through adequate legislation by Congress.

(Signed) .....

Street Address .....

City and State .....

Position .....

This Declaration is being circulated cooperatively by the religious press of the nation. Signatures may be sent to The Christian Century, 440 South Dearborn street, Chicago, or to any other participating journal, for compilation and dispatch to Washington.

Pastors, teachers, and other interested persons desiring additional copies of the Declaration for circulation among members of their congregations or classes, or among their friends, may secure them upon request.

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The CHRISTIAN CENTURY

January 20, 1932

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The Office Notebook

Here and there a reader may be tempted to pass by the majority and minority opinions of the supreme court in the Macintosh case, which are printed in full in this issue, as too long or too technical. A word of warning! These two opinions (technically, of course, the first is a decision and the second an opinion) represent far more than mere legal documents. In a genuine sense, they embody the very core of the most important issue which religion has to face today.

The decision of the supreme court in the Macintosh case is the most complete and clear-cut enunciation of the doctrine of the supremacy of the state over the individual conscience—or in other words, of the Cult of the Omnipotent State—ever formulated. The fact that it has been formulated by the highest court of the United States and applies only to those seeking citizenship in the United States and, by clear inference of the judicial language used, to those already citizens of the United States, makes it of peculiar and immediate moment to our readers.

The dissenting opinion of Chief Justice Hughes, concurred in by Justice Holmes, Brandeis and Stone, may in time come to be regarded as a charter of liberty for the individual conscience comparable in importance to the Mayflower pact, the Virginia bill of rights, or the first ten amendments to the federal constitution. It is a moving thought that this will be the last great dissenting opinion in which Justice Holmes will have a part.

Here and there across the country—and around the world—there are thousands of ministers and other Christian leaders who are vaguely aware of a growing tension between the religion of conscience and the religion of the state. Very few of these disturbed leaders could formulate the issue as it actually exists. That is why we are this week printing the two declarations of the supreme court in full. Here is the issue, joined by the highest tribunal in the land.

Word from Washington, as we go to press, is that congress is on the point of passing the reconstruction finance corporation bill which will loan two billion dollars to the railroads, et al. Fine! And now will the male chorus of railroad presidents kindly lead us in singing that grand old song, "Less government in business!"

Contributors to This Issue

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The CHRISTIAN CENTURY
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EDITORIAL

AS though written in letters of fire by an invisible hand across the face of Secretary Stimson's latest note to Japan and China there stands out this fact: The peace pact is law! It is not, as a cynical and war-sniffing press has declared, a mere pious sentiment. It is not, as commentators itching for methods of "enforcement" have charged, an empty form of words. It is law! Established international law. Established by the solemn adherence of practically all the nations of earth. And Mr. Stimson's note is the way which the United States takes to call Japan's attention to this fact, and to the intention of the United States to insist that all rights under the law be observed. For Mr. Stimson is not content merely to make the point that the peace pact is law; he goes beyond that unflinchingly to point out the consequences that proceed from this fact. Among those consequences, as our editorial last week suggested would logically follow, is the refusal of this nation "to recognize any situation, treaty or agreement which may be brought about by means contrary to the covenants and obligations of the pact of Paris."

The Pact Is Law!

Where Japan Has Transgressed

PRECEDENTS of really tremendous importance are created by Mr. Stimson's note. And the building of international law into a body of firmly established international procedure is, in the main, a matter of the creation of precedents. In the first part of the note the American government plainly has it in mind to recall to Japan's memory the obligations undertaken under the nine-power treaty of 1922, although that treaty is not mentioned by name. That treaty, it will be remembered, began with a mutual pledge "to respect the sovereignty, the independence and the territorial and administrative integrity of China," and in its third article "the contracting powers agree that they will not seek, nor support their respective nationals in seeking, any arrangement which might purport to establish in favor of their interests any general superiority of rights" in China. Then, as if anticipating any word-juggling that Japan might employ to meet the accusation that her present military occupation of Manchuria is in violation of these promises, Mr. Stimson has gone on to specify the Kellogg pact by name as having become involved. Undoubtedly it is the promise to abjure war "as an instrument of national policy" that Mr. Stimson has in mind. For if "administrative integrity" is not impaired when the local governments of a territory the size of Manchuria are driven out, as Japan, in replying to the American note, may try to claim, nevertheless the clearing of all the former Chinese authority, such as it was, from this territory is beyond question a projection of Japan's national policy. And that policy has been carried through by force of arms, which, says Mr. Stimson, is war.

The Ultimate Import of Mr. Stimson's Note

THE DEDUCTION drawn by the American secretary of state from this is inevitable—titles of whatever sort gained under such conditions are illegal, and cannot be recognized. The ultimate import of such a declaration is not only in casting the shadow of a fraudulent title across any future attempt by Japan to develop her Manchurian conquests, but even more to create a precedent both for definition and action in the future dealings of the other strong nations with weaker peoples. Mr. Stimson's note, unless we are badly mistaken, will echo one day in Nicaragua, in Haiti and in other parts of the Caribbean world. It will echo, likewise, in Egypt, in Syria, and elsewhere in the east. Perhaps that is why the foreign offices in London and Paris have been so slow about coming to Mr. Stimson's support. Perhaps that is why the Tokyo government is so reluctant to believe that the United States seriously means what the Stimson note says. A precedent that all powers with occasional imperialistic urges will have to face is being created by the American notes over the Japanese invasion of Manchuria, and the other powers know it. If what the Japanese have done in Manchuria is resort to the prohibited other than "pacific means,"

then resort to similar means in other parts of the world by other states will likewise be a violation of the pact. We rejoice that Mr. Stimson has made that plain.

The Tragedy at Honolulu

IMMEDIATELY upon receipt of the news dispatches concerning the tragic events in Honolulu, The Christian Century cabled one of the acknowledged Christian leaders of Hawaii for an article fully covering the situation, and this will doubtless be available in an early number. In the meantime, we trust that the superficiality of the newspaper dispatches, and the statements being made by naval authorities, will not blind our readers to the depth of the tragedy that is involved. Honolulu has been one spot on earth where people of many races have met and mingled on a plane of practical social equality. Color lines have scarcely mattered. More opportunity has been given for the scientific study of racial contacts and fusions under favorable environmental conditions than anywhere else in the world. This has been due, in large part, to the power of the Christian tradition bequeathed from the days of the original New England missionaries. Into this situation there has been injected in recent years a garrison population constantly held between ten and fifteen thousand men. These men, deprived of that normal home life which is their due, have tended to exploit the accessible women near their barracks, that is, the Hawaiian women. Sometimes their approaches to the Hawaiian girls have led to marriage, but in hundreds of cases such marriages have been followed by desertion when the husband has been ordered away from the islands. The increasing bitterness of the Hawaiian men at this treatment of their sisters has been an ill-omened phenomenon of recent growth. Moreover, the army and navy establishment, of whatever grade, has tended to resent, deride and oppose the island tradition of interracial good will. Officers and men have alike, in most cases, insisted on regarding the natives and those of mixed blood as social outcasts; the usual barracks name for these has been "nigger." All this lies behind this recent outbreak, in the course of which it is alleged that the wife of a naval officer has been ravished and that that officer has participated in a retaliatory lynching. It is a high price to pay for militarism, however "strategic" the Hawaiian base may be.

The Air Is Reserved for Conventional Religion

NOW that the Rev. Herman J. Hahn, minister of the Salem Evangelical church of Buffalo, has been permanently barred from the air by radio station WGR, the issue as to free speech in the radio pulpit is more tightly drawn. Mr. Hahn had been broadcasting for many months over this station, which is a member of the Columbia chain. Perhaps because of the generally-known liberal nature of his views, it was necessary for the men's brotherhood of his church to pay $49 a week for these 15-minute broadcasts. Thousands of commendatory letters had been evoked by the sermons; only eight of protest in a year and a half. Of the eight, four were unsigned. At about the beginning of December the contract covering Mr. Hahn's broadcasts was renewed for another six months' period. On Saturday, January 2, when Mr. Hahn submitted the manuscript of the sermon which he intended to deliver the following morning, in accordance with his agreement with the radio station, he was informed that, unless he would agree to make major changes, he could not speak. "We have received telephone calls complaining about the nature of your broadcast," the station manager is reported to have informed the minister. "What we want you to do is to deliver the more conventional type of religious broadcast to which the people are accustomed." On January 9 the radio station permanently canceled the contract under which Mr. Hahn was broadcasting. The sermon which brought matters to a head was one in a series on the social teachings of Jesus, and was entitled "Jesus' Way Out." The sentences which, when pressed, the station management settled on as justifying their action were one in which Mr. Hahn quoted that frequently reprinted aphorism of the late Commodore Vanderbilt, "The public be damned," and another in which the methods used in certain factories to obtain charity relief funds from employes were characterized as "ballyhoo" and "stupid." But evidently the air is not for preachers who speak with candor on such matters. The air is for those who offer the conventional.

A Philanthropist Who Was Something More

JULIUS ROSENWALD, viewed from almost any approach you please, was a great man. Charles Francis Adams, on retiring from the presidency of the Union Pacific railroad, said that of all the business leaders he had, perforce, known while in that position, there was not one he cared to meet again, either in this world or in the world to come. Their minds, according to Mr. Adams, had been so absorbed in amassing wealth that there was nothing else of interest in them. For the sake of his own Bostonian self-sufficiency it is too bad that Mr. Adams came too early to know Julius Rosenwald. Mr. Rosenwald was, of course, a genuine success as a business man. It is likely that any future evaluation of our times will rank the spread of the mail order catalogue on a par with any other cultural, as well as economic, influence we have known. In the national emergency of 1917, Mr. Rosenwald proved one of the dollar-a-year men who could successfully slash through the convolutions of army red tape and see that four million men were clothed and shod in time to make their weight count. In the field of philanthropy, in which it is estimated that he distributed

more than sixty million dollars during his lifetime, Mr. Rosenwald not only gave munificently, but he gave a measure of his own interest, his own personality, to a degree surpassing that of any other large giver of whom we have knowledge. Moreover, he put his finger unerringly on the social danger involved in perpetual endowments. His establishment of the Rosenwald fund on a basis providing for the dispersal of its capital in a generation, and equally his explanation in the Atlantic monthly of the philosophy which underlay that policy, has had a wholesome effect on philanthropy everywhere. More than all else, the man was marked by a charming simplicity and humility. His remark that success is 5 per cent ability and 95 per cent luck was not posing—it was genuine Julius Rosenwald; his exact attitude toward his own position. It went hand in hand with the immediate veto which he placed on the proposal that his biography be written as that of "the greatest Jew of his day."

Foreign Investments Are Not Guaranteed

THE STATE department finds itself an object of criticism for its connection with the flotation of South American bonds in the United States after said bonds are supposed to have been examined and approved by the state department. It is reported that South American securities to the total amount of $815,000,000 are now in default, and the American holders of these bonds feel that the state department has not protected their interests very intelligently. The truth is that the state department is being unjustly blamed for things which it neither did nor professed to do nor had any business to do. It does not lie within the competence of the state department to pass upon the economic stability of foreign investments. It does undertake to scrutinize proposed flotations and report whether or not such loans would involve unfortunate political consequences. The state department's O K means nothing more than that the government is willing to let Americans risk their money on the investment if they want to. This distinction between political and economic approval is certainly well understood by every agency that markets foreign bonds and most of the individuals who buy them. But the state department is also blamed justly for doing some things badly, if the reports are to be trusted. It appears that diplomatic considerations led to rather active encouragement of some of the loans against which the consuls and the representatives of the department of commerce were giving warnings. Until we have quite given up the traditional duty of following the American dollar to the ends of the earth with a gunboat, if necessary, to bring it back, it ought to be the concern of some branch of the government to see that the dollar does not get into trouble from which only the army and navy can rescue it. The consular service and the commerce department furnish generally reliable and rather conservative estimates. The state department should confine itself to reporting whether proposed investments are politically safe, and scrupulously avoid that dollar diplomacy which encourages a private investment—sometimes a bad one—in order to grease the diplomatic machinery.

Germany Will Pay No More

WHEN Chancellor Bruening stated, in very simple and unemotional terms, that "the present situation makes it impossible for Germany to continue to make political payments," it was taken as advance notice of a formal declaration to be made at the reparations conference which is scheduled to meet at Lausanne next week. Pointed hints have already been conveyed to the world from the chancelleries of more than one of the governments which are creditors of Germany but debtors to the United States that any loss in collections from Germany will have to be made up by decrease in their payments to us, and that therefore the United States should take a leading part in a reopening of the whole matter of war debts and reparations. The first of these propositions may or may not be true; in practice, it will be just as true as they say it is, for we are certainly not going to collect our war debts by force. The second is not true at all. The Christian Century has already said its word on this subject. If Europe cannot pay, let it repudiate. If Germany cannot pay France and Italy, let her repudiate. If then France and Italy cannot or will not pay the United States, let them repudiate. But whatever is done, let it be done under the name that truthfully describes it. Repudiation will be more wholesome than renewed dickering and compromising. If war means bankruptcy for the winners as well as the losers, let that fact appear. If the defaulting nations can save their faces by declaring that war debts are notes signed under duress—as the reparations certainly are—and are therefore not legally or morally binding, let them do so. Our lesson on the economic implications of modern war will then be complete, and it may be worth what it costs.

Mooney Trial Scored by Federal Commission

THE hitherto suppressed portions of the Wickersham commission's report on the cases of Mooney and Billings were made public when the department of justice handed them over to the senate in compliance with a resolution introduced by Senator Cutting and passed by the senate. In the furtherance of its inquiry into crime and the enforcement of law, the commission set up a section, headed by Judge Kenyon, for the study of lawlessness in the enforcement of law. Such an investigation must of necessity be a study of specific cases. The report confirms, in substance, everything that has ever been said by those who hold that the convictions were unjust and that

the men ought to be pardoned. It asserts, among its findings, that there was no real effort to discover the actual perpetrators of the crime, but only to find evidence on which to convict Mooney and Billings; that the prosecution acted unfairly and illegally in concealing evidence tending to discredit its witnesses, in vouching for perjured testimony and in concealing evidence favorable to the defendants but known only to the prosecution; and that the prosecution attempted to secure its ends not only by appeals to prejudice and by inflaming public opinion during the trial, but by similar tactics later to prevent pardon. The report includes a letter from Judge Griffin, who presided at the original trial, stating that he has "become convinced that the conviction of Mooney is a great miscarriage of justice." The legal status of the case remains exactly as it was before. Federal commissions may investigate and report, and the senate may make public their findings, but the only person or power that can act in this matter is the governor of California.

A Call to Patriots

SOMETHING quite without precedent in American Protestantism is reflected in this issue of The Christian Century. Twenty-seven of the most influential religious papers in the United States, representing all the leading denominations, are simultaneously making a protest against the supreme court's decision in the Macintosh citizenship case, and on behalf of religious liberty and the rights of conscience. Our readers are, therefore, asked to peruse these pages with an awareness of the fact that it is not merely The Christian Century which they are reading, but that, allowing for variation in individual emphasis, they are listening to the almost unanimous voice of the Christian press of the nation.

And not only of the Protestant press, but of the Roman Catholic as well. For the leading minds of that communion see eye to eye with us as to the gravity of the issue which the supreme court's decision has precipitated. It is only fair to say that our Catholic colleagues were more prompt in sensing the sinister implications of this decision than were the Protestant editors. We are advised that all but a small fraction of the Catholic organs have already taken a strong position of protest. This fact deserves to be emphasized, and its significance should not be discounted by any difference which obtains between Catholic and Protestant on the question of the authority of the church in the realm of conscience. It is sufficient for the present issue that the Christian press of the nation, Protestant and Catholic, sees clearly that the doctrine promulgated by the supreme court, imputing to every American citizen the pledge that he will hold an act of congress supreme over his conscience spells doom both for religious liberty and a spiritual church.

The only way in which a spiritual faith can be kept alive in the United States under this decision is to protest against it, to repudiate it, and to work for its correction either through reversal or by appropriate legislation. To tolerate the decision, to be squeamish about raising one's voice against it, to imagine that any principle of sound patriotism is violated by incontinently repudiating it and dissociating oneself from all obligation under it, is simply to confess how fully one's mind has been brought under the yoke of subjection to a thoroughly pagan conception of the state.

We regard the united expression of the religious press of the nation on this subject as one of the most heartening tokens of the post-war period. Besides exhibiting a unity which has never been so finely dramatized before, it demonstrates that there is yet the spark of vitality in the religious press which its critics have been led to believe had gone out.

What is the religious press aiming at by this concerted effort? It is undertaking to inform church people that something serious and unprecedented has happened to their status as citizens, to arouse them to a repudiation of the restriction which the supreme court's decision puts upon their long established guarantee of freedom of conscience, and to enlist them in a nation-wide petition to congress for relief.

It is unnecessary to argue the issue editorially at this time. Readers of The Christian Century have been made familiar in past months with the implications of the court's decision. Besides, articles appear in these pages this week which sufficiently refresh the reader's understanding of the issue. On a special page will be found a "Declaration" intended to be signed by every person who reads it and approves it. This Declaration reflects the conclusions reached by the editors of the twenty-seven cooperating religious periodicals. It is appearing in their papers as it appears here, and is being reenforced by an independent editorial in each of these papers as it is in The Christian Century. The papers participating are the following:

The Congregationalist
The Christian Leader
The Churchman
The Methodist Protestant-Recorder
The Christian Courier
Zion's Herald
The Epworth Herald
The Arkansas Methodist
The Northwestern Christian Advocate
The Gospel Messenger
The Richmond Christian Advocate
Unity
Christian Herald
The Friends Intelligencer
The Living Church
The Presbyterian Advance
The Baptist
The Central Christian Advocate
The World Tomorrow
The Pacific Christian Advocate
The Reformed Church Messenger

The Witness
The Christian Standard
The Christian Register
The Cincinnati Christian Advocate
The Pittsburgh Christian Advocate
The Christian Century

Each editor leads off by signing the Declaration himself, and publishes the text of the Declaration with a line for the signature of his readers. He will ask his readers to sign the Declaration, tear out the page and send it to the office of the paper from which it was taken. But this is not all. It is designed that the movement shall spread far and wide beyond the reading constituency of the religious press. For this purpose, arrangements have been made for printing the Declaration on separate sheets for distribution, in any quantity, in congregations, public meetings, community groups, and by individuals who are prompted to secure signatures. These signed Declarations should be returned to the editor of your paper, who in cooperation with the other editors will see that they are delivered to Congress and the President of the United States.

Fortunately, this concerted effort is able to come to a head in a specific and practical way by the introduction in the United States senate of a proposed amendment to the Naturalization law designed not only to admit such alien applicants for citizenship as Professor Macintosh, but to relieve the native-born American citizen of the tyrannous restraint which the court's decision imposes upon him. By the time these words are in print, no doubt, Senator Cutting, of New Mexico, will have introduced his bill. It has been drawn with the aid of the legal firm of Davis, Polk, Wardwell, Gardiner and Reed, who represented Professor Macintosh before the supreme court. The Honorable John W. Davis of this firm was democratic candidate for President in 1924. The text of the proposed statutory amendment is as follows:

> No alien otherwise qualified under this act shall be denied citizenship by reason of his refusal on conscientious grounds to promise to bear arms or otherwise participate in war; but every alien admitted to citizenship shall be subject to the same obligation in all respects as a native-born citizen.

The passage of this amendment, while it does not cover the entire theoretical case, will fully meet the practical issue and reinstate our traditional national policy of receiving as citizens those who are otherwise qualified without requiring them to abdicate their consciences in order to become citizens. At the same time, it practically unbinds the consciences of those who are now citizens, by identifying the status of such naturalized citizens with the status of those native born.

Speaking for himself personally, the editor of The Christian Century has signed the Declaration. Moreover, the editor has had occasion to act upon it and has acted. In an application for a passport he attached to the oath of allegiance a repudiation of the supreme court's interpretation in these words:

> I also add a word of explanation on the question of conscience, in the light of the decision of the supreme court in the Macintosh case. I have taken the oath of allegiance many times in past years. In doing so, it has never occurred to me that I was thereby giving a pledge to surrender my conscience to congress as the final and absolute interpreter of the will of God. It is my understanding that to require such a pledge is the essence of tyranny. I am willing to pledge everything I have for the well-being of the nation, including my life. But as a Christian I cannot give my conscience, which belongs to God. In taking the oath of allegiance I do not assent to any contrary interpretation of its meaning.

The time is ripe for a vigorous uprising against those post-war influences which are operating to set up a nationalistic state as absolute as that which we once imputed to Prussianized Germany, and as pagan as that of the Roman Caesars. The most precious treasures of our American heritage are at stake. If those who believe in a spiritual religion; in a free church within a free state; in a democracy which jealously guards its most precious asset, namely, the free consent of the governed; in a living God who holds in his hands the destinies of nations—if such citizens as these hesitate to voice their convictions but bend their wills supinely to a pagan deity, the future of both religion and democracy will be dark indeed.

It is unthinkable that the spirit of our fathers has abandoned their sons and daughters of this generation. That spirit is still alive. It needs only to be evoked. In the great argument of Chief Justice Hughes there lies a new charter of that spiritual freedom which the fathers thought they were establishing forever, but which their children will lose if they are blind or cowardly or inert.

Have We Repented?

IT WOULD be hard to find a more instructive incident than that which took place in England when the archbishops of the Anglican church wrote prayers for use on a national Sunday of intercession. When the archbishops first proposed that the churches set aside the services of one Sunday for special prayer in behalf of national restoration, public approval was unanimous. Even the reactionary elements in society are ready to nod in heavy-jowled approval when, in time of crisis, it is suggested that "We must get back to God." But when the archbishops wrote actual prayers, and published them as specific suggestions of the sort of thing for which they thought Britain should be interceding, the picture changed overnight. The howl of protest that went up echoed through the nation. Newspaper editorial pages fairly quivered with rage. Parsons of all degrees, from the dean of Westminster abbey down to the preacher in the humblest nonconformist chapel, took occasion to assure the public that there should be no such prayers as *that* offered in *their* churches.

What had the archbishops written? Here are examples: "Because we have been selfish in our conduct of business, setting our own interest and that of

our class before the interest of others, forgive us our trespasses. Because we have indulged in national arrogance, finding satisfaction in our power over others rather than in our ability to serve them, forgive us our trespasses." The furor that followed the archbishops' proposal of such petitions is instructive, not only because of what it tells us about Britain, but even more because of what it tells us about the state of mind of all the world. For Britain is not a sinner above all others. Let similar prayers be offered for general use in the churches of Japan, of Germany, of France, of Italy, and there would be a similar reaction. Yes, and let similar prayers be offered for use in the churches of the United States and the volume of outraged protest would swell higher and louder than from any other part of the globe.

Yet it is profoundly true that at bottom the malady that today afflicts mankind, thrusting all the nations deeper and deeper into social tragedy and mental melancholy, is a spiritual malady. And it is profoundly true that a return to national and international health —as we said last week in the editorial on "The Primer Class in Economics"—waits on a return to the fundamentals of spiritual renewal. And the fundamental of spiritual renewal, as every religious genius from Abraham down has proclaimed, is an initial repentance for sin. "Forgive us our trespasses." Until a man or a society or a nation says that, and means it, no cleansing and renewal of the internal spiritual resources which control achievement is possible.

In saying this no slightest disparagement is being cast on the importance of the efforts which are being made in parliaments or by the organization of special commissions and committees to deal with the present crisis and to open up ways of improvement. But even if, by some legerdemain of politics and economics a clever leadership might open up ways for a "restoration of prosperity," and that prosperity should prove to be of the 1928 brand, the following estate of the nation would simply be that of the man into whose garnished life the unclean spirit returned, bringing seven more evil than himself in his company. A temporary economic recovery without a cleansing of the spiritual bases of our life—and of the life of all the western world—means a future and complete collapse of our society under the devastation wrought by inner moral deterioration.

The first step out of the morass into which western society has wandered is a general confession of sin. We have *all* sinned. That must not be a mere form of words to be mumbled at a certain point in smooth-worn rituals; it must be a genuine expression of contrition and repentance. We have sinned by our reliance on brute force. We have sinned by our complacency in the face of social injustice. We have sinned by our preoccupation with material ends. We have sinned in permitting what should be a brotherhood of man to be divided up into compartments of color and caste. We have sinned by setting up self-seeking as the norm of men and nations.

That is the point at which the church can, at this moment, make its most needed contribution to a permanent improvement in the present afflicted condition of mankind. And it is a vital point and a vital contribution, for until western society and the western nations show genuine repentance for past sin, the road toward an inner spiritual renewal, toward the exhilaration to come from the enjoyment of an active faith, is blocked. The road to recovery for the western world starts at the penitent bench. "Forgive us our trespasses"—the specific trespasses of which we have actually been guilty!

The archbishops of the Church of England were dead right. The reception of the prayers which they suggested to the people of England only goes to show how right they were. Genuine recovery has not yet begun because genuine repentance has not yet taken place. The Christian leadership of the world should step forward to the side of the archbishops. It should not relax in the slightest its efforts to encourage succor for the broken victims of the present catastrophe. But it has an even greater responsibility than that upon its shoulders—a responsibility of incalculably more importance for the future of society and of all society's institutions, including the church itself. It must place itself again within the line of prophecy. It must go back to the valley of the Jordan, where John preached, and from which came Jesus proclaiming repentance. "Forgive us our trespasses." That is the word which a spiritually quickened religious leadership should be speaking now to a spiritually baffled society.

"De Trouble wid Miracles"

EDITOR THE CHRISTIAN CENTURY:

SIR: Do you recall that promise of the "Lord" in "Green Pastures" that he would "jest r'ar back an' pass a miracle"? But the "whole mess of firmament" soaked the cherubs, and so it became necessary to pass another miracle. Then he exclaims, "Dat's always de trouble wid miracles. When you pass one you always gotta r'ar back an' pass another."

I've listened to many sermons on miracles, sir, but that line set me thinking more than ever. I wonder whether the idea of God has not suffered much from an overdraft on the credulity of an earlier generation? The fact is that the association with the exceptional has left the impression of the Divine as of One subject to different moods. Furthermore, as evidence, a miracle is singularly deficient. The decisive criterion for any truth, ethical or physical, must be truth of the same kind, and the tendency to depend on the magical for relief must result in the weakening of moral fiber.

Another sentence—this time from Dean Inge—could be set beside the line from this long exposition in ebony, this dusky drama of divinity: "It is worth while to notice that belief in the supernatural presup-

poses a belief in natural law. Where there is no law there is no miracle." And so you see, Mr. Editor, we are brought back ultimately to the normal and the natural as the real revelation of the Most High. The change in the center of gravity which makes the Christian mind more easily believe in the miracles because of Christ than in Christ because of the miracles, is itself a moral development. I like, sir, to think of a miracle as an experience in advance of an explanation. This delves beneath the pro and con of the question, and has the effect of making one search for the core of reality enshrined in the stories. So also we may continue a creative experience.

We have Moses, i. e., the heritage of law, itself the codification of extended human experience, and the prophets, i. e., the cumulative insight of spiritual genius. If these do not suffice, a resuscitated corpse will fail to move us. But when the universe is transparent, there can be no need of cultivating a moral squint in looking for the eccentric. Like the Catholic priest, whose belief about the presence of God in the elements was under suspicion, we can reply that our chief difficulty is in thinking that he is absent from anything else.

Yours for repeatable evidence,

QUINTUS QUIZ.

VERSE

We Worship God

THEY sat in stolid rows to worship God;
Their jeweled fingers toyed with modish silks.
Sleek, well-fed men computed bank-accounts
With pencils, furtively.
The black-robed choir mouthed tuneful, wordless chants,
Then lapsed in somnolence.
The preacher, victim of their unresponse,
Voiced pious platitudes.

Outside, half-blinded by the sleet and snow
A wanderer sought a place to rest;
The door swung open and he saw within
The massive altar banked with costly flowers,
The vested choir, and the languid ease
Of those who worshiped God.
He turned away to face the winter's gloom;
Here was no place for one unclean, unknown.
He plodded on, doubtless remembering
A humble stall that once had held a King.

MARGARET MILLER PETTENGILL.

Faith

IN PAIN that no last comfort brings
I feel the compassing of wings.

In dusk annihilating sight
I know the coming of the light.

In the sad presence of a stain
I realize the pure again.

Following where angels never trod—
In the fool's wisdom, I find God.

M. WHITCOMB HESS.

Depression

WHEN Mars grows weary in his wild aggression,
And those still living stagger under debts,
He offers Peace the iron crown, depression,
Gemless and joyless, peaked with bayonets.

ISRAEL JORDAN.

On a Slender Chain

MY FRIEND has a jewel—
Blue, clear, sparkling,
Rare and costly—
Which she wears carelessly
On a slender chain.

The precious things of life—
Youth, friendship, love,
Valued and fragile—
We wear them carelessly
On slender chains.

MILDRED VEITCH WEST.

"Burn the Fields Over"

BURN the fields over . . .
All the weeds,
All the seeds;
Mullein and clover
Die in the fire.
A searing breath
Leaves black death
As the smoke curls higher.

Burn the fields over . . .
From dark ashes
New growth flashes—
Green grass and clover.

MARY CHANNEL STEVENS.

Consciences in Regimentals

By Charles P. Howland

PROFESSOR W. G. SUMNER used to talk about "the conquest of the United States by Spain." This was his biting way of saying that the United States, as a result of its continued expansion and final elbowing of Spain out of the Caribbean, which the United States thus dominated, and out of the Philippines, which the United States entered as a possessing non-colonizing power, had submitted the traits of an imperial-colony-owning power; from its vantage point of a mechanized civilization it would dominate more primitive folk in Porto Rico and the Philippines and substitute its own *kultur* ("folkways" was Sumner's word) for those which were habitual and appropriate to them. Sumner's thought was also that this need to dominate, this Roman *superbia,* would infect the spirit of domestic institutions, eating away the noble concept of Anglo-Saxon liberty.

Sumner's phrase was an exaggeration, but in the long curve of historical events something of the influence that he bitterly deplored can be found. Conquering, ruling and war-making reacts upon the national spirit. There is more support for the view that the United States needs colonies, not to develop for the natives' good by way of trusteeship but as sources for raw material for American industry. There are more believers in the exercise of governmental authority in the country than there were before 1917; more persons who believe that a United States, spread overseas, needs a big navy; more persons who believe that the state partakes of the nature of an absolute, requiring absolute obedience.

The Macintosh and Bland Cases

This general observation has found recent proof in the supreme court's view as to the quality and meaning of American citizenship, in the case of the United States vs. Macintosh, a professor of theology in the Yale divinity school, and the United States vs. Bland, an Episcopalian communicant. Dr. Macintosh's religious beliefs would not permit him to promise in advance to bear arms in any war congress might declare if he believed it morally unjustified. Miss Bland would not promise to bear arms at all, not relying upon the absurdity that a woman should be expected to, but because she believes all war to be against the ethics of Christ. Five of the justices of the supreme court took the view that the naturalization oath requires applicants for citizenship to swear without reservation that they will take up arms in any war declared by congress, do combatant service without privilege of non-combatant service, if required to do so by congress, notwithstanding the doctrines of church or creed or conscientious scruples against a particular aggressive or unjustified war as a form of murder.

The oath is that the applicant "will support and defend the constitution and laws of the United States against all enemies, foreign and domestic; and bear true allegiance to the same." A plain interpretation of the words connotes nothing in the way of war or fighting; the whole oath has to do with the renunciation of a foreign allegiance and the adoption of a new one. But the post-war *zeitgeist* was formed in the forge of war and war ideas, and "defend the constitution," a common term meaning support, protect, cherish, shield or vindicate, was by these five judges construed in terms of fighting and the personal bearing of arms. The consideration that the same oath has to be taken upon induction into the office of President, justice of the supreme court, and all other federal and most state offices including that of notary public, and that consequently this decision bars from office most Quakers, many Catholics and Episcopalians, not to speak of those whose individual consciences would deter them from fighting in wars which they thought evil (unless of course they belie themselves by taking the oath) does not seem to have affected the views of Justices Sutherland, Van Devanter, McReynolds, Butler and Roberts.

Theory of the Majority

The theory of these five judges is that good character and good behavior, attachment to the form of government of the United States, to representative principles and to the scheme of the constitution, are not enough; submission to control in war-time would not even be enough: the applicant for citizenship and the candidate for office must undertake that he or she will at any time fight with weapons to any extent that congress may require in any kind of war it may declare. "From its very nature," they said, "the war power, when necessity calls for its exercise, tolerates no qualifications or limitations, unless found in the constitution or in applicable principles of international law. . . . Whether any citizen shall be exempt from serving in the armed forces of the nation is dependent upon the will of congress and not upon the scruples of the individual, except as congress provides." These justices did not consider the question whether or not the form of oath had to be interpreted so as to involve the meaning of the constitution; that question they ignored, declaring that the United States is "a nation with the duty to survive; a nation whose constitution contemplates war as well as peace; whose government must go forward upon the assumption, and safely can proceed upon no other, that unqualified allegiance to the nation and submission and obedience to the laws of the land, as well those made for war as those made for peace, are not inconsistent with the will of God."

It will be observed by those interested in the philos-

ophy of history that the view of Mr. Justice Sutherland and his colleagues corresponds to that entertained of the state as an absolute by the German philosophers who inductively created the idea of a state and allegiance to it out of the necessities and practices of Prussia—the Prussia of Frederick the Great, of Clausewitz, of Bismarck and von Bernhardi. National advantage—in this case the weight of Prussian arms—can always be worked into some form of egoistic philosophy, and the desire of the militarists was subserved in the philosophic field by Hegel and Fichte and in that of history by the imperious Treitschke; to Treitschke an a-moral power sufficed the state, and idolatry of the state was an exclusive absolute. By this view Cleon, whose hundred per cent patriotism was so fatal to Athens in the Peloponnesian war, was a better citizen than Socrates, who was hated by the Athenian mob for teaching youths to think for themselves; and Machiavelli, who formulated the gospel of imperious nationalism and international anarchy, was more useful to mankind than Spinoza. "We love as one and we hate as one," said the 1914 "Hymn of Hate."

The Minority View

Chief Justice Hughes, with whom Justices Holmes, Brandeis and Stone concurred, could not agree that congress had exacted such a promise as that which Justice Sutherland found in the prescribed form of oath, and thought the question to be "distinct from that of legislative policy in exacting military service." In addition to the natural meaning of the words of the oath, the common-sense of giving it a non-military meaning in view of its applicability to all civil offices including that of the justice of the supreme court, and the history of the oath in American legislation and practice, he thought that the idea of its containing a promise to do military service was "directly opposed to the spirit of our institutions."

> Much has been said of the paramount duty to the state, a duty to be recognized, it is urged, even though it conflicts with convictions of duty to God. Undoubtedly that duty to the state exists within the domain of power, for government may enforce obedience to laws regardless of scruples. When one's belief collides with the power of the state, the latter is supreme within its sphere and submission or punishment follows. But, in the forum of conscience, duty to a moral power higher than the state has always been maintained. The reservation of that supreme obligation, as a matter of principle, would unquestionably be made by many of our conscientious and law-abiding citizens. The essence of religion is belief in a relation to God involving duties superior to those arising from any human relation. . . . One cannot speak of religious liberty, with proper appreciation of its essential and historic significance, without assuming the existence of a belief in supreme allegiance to the will of God. Professor Macintosh, when pressed by the inquiries put to him, stated what is axiomatic in religious doctrine. And, putting aside dogmas with their particular conceptions of deity, freedom of conscience itself implies respect for an innate conviction of paramount duty. The battle for religious liberty has been fought and won with respect to religious beliefs and practices, which are not in conflict with good order, upon the very ground of the supremacy of conscience within its proper field. What that field is, under our system of government, presents in part a question of constitutional law and also, in part, one of legislative policy in avoiding unnecessary clashes with the dictates of conscience. There is abundant room for enforcing the requisite authority of law as it is enacted and requires obedience, and for maintaining the conception of the supremacy of law as essential to orderly government, without demanding that either citizens or applicants for citizenship shall assume by oath an obligation to regard allegiance to God as subordinate to allegiance to civil power.

This is not only noble ideology, but also good statecraft. Those who have opposed and strenuously fought in the home arena against unjust foreign wars were better supporters of their own state than the war-making politicians and soldiers. Fox, who opposed the British efforts to crush the American revolutionists by arms, stands higher as an English citizen than Lord North; Lowell, who used all his powers to prevent the Mexican war and who condemned it until the end, is accepted as a better American than President Polk, who brought it on; Bright, who in parliament denounced the Crimean war, stands above Palmerston as the type whom Englishmen consider their best, and whom such men as John Morley and Gladstone unite to praise. An American can challenge Machiavelli's 100 percentism with Emerson's freedom from the blight of state-control over conscience.

The examples of history give a biting qnality to Laski's saying: "We do not want to make our state a cattle-yard in which only the shepherd shall know one beast from another."

The Inalienable Nature of Conscience

The rule that action which touches conscience should be left to the decision of the individual is not because the two spheres of conscience and of action are and can be kept wholly separate and distinct, for they cannot; but because that which is lodged in conscience cannot be dislodged. It is a psychological truth that the effort fails, and that the resentment it creates reacts against the state. The state acts, therefore, in its own interest in refraining from the attempt.

The American practice has been to test the value of principles and institutions by their fruits alone, and not by the apprehension of logic. Our system of liberal institutions has "worked"; the free state has made good citizens who have served it well. "English liberty is so trustful!" says Santayana, describing the idea of liberty which Americans have inherited from their English forefathers. "It moves by a series of checks, mutual concessions, and limited satisfactions; it counts on chivalry, sportsmanship, brotherly love, and on that rarest and least lucrative of virtues, fair-mindedness; it is a broad-based, stupid, blind adventure, groping towards an unknown goal. Who but an Englishman would think of such a thing!"

The discussion has carried us a long way from the true meaning of the oath of naturalization, the meaning which Chief Justice Hughes found, simply inter-

preted, to have no relation to the function of bearing arms and killing one's fellow-beings. But if the challenge is thrown down as to which is the better type of citizen—he who accepts the discipline of the state in matters of conscience, or he who stands for his convictions—from which type the state receives the greater profit, there should be no hesitation in taking up the challenge on behalf of freedom of the spirit. We are not too far from the times of our American forefathers to "stand on their shoulders" and declare that the freedom of the citizens in matters of conscience makes the freest state.

Conscience and the State

The Roman Catholic View

By J. Elliot Ross

THERE are three possible attitudes which a citizen may take toward the problem of conscience and the state as involved in a war crisis:

1. The completely pacifist position which condemns all war as morally unjustifiable.

2. The position that a war may be just or unjust, according as it fulfills or does not fulfill certain objective conditions independent of the mere act of governing officials.

3. And finally, the naïve position which admits that some wars are justifiable, others unjustifiable, but which finds the criterion for judging the justice of a war merely in the attitude of one's own government. That is, the wars declared by one's own government are always justifiable; those declared by a foreign government against one's own nation are always unjustifiable.

Dr. Macintosh has taken the middle course, and in so doing he is in essential agreement with Catholic moralists. Both Dr. Macintosh and Catholic moralists stand for the supremacy of the individual conscience, and realize that a situation may arise when the citizen of a particular state must say with the apostles: "We must obey God rather than men." Christianity has never acknowledged that the state was emancipated from God's law, nor that the individuals constituting a government had in their corporate capacity any infallibility for determining what was God's law.

Pagan and Christian Views

Contrasted with this Christian viewpoint is the pagan idea that the state is absolute, omnipotent and infallible. There is no law of God above the state, or at least no way for the citizen to know that law other than by the enactments of the state. It is with sorrow and a heavy heart that I see the supreme court abandoning the Christian idea of state authority and embracing the pagan idea.

By Catholic principles, it is true, all state authority comes from God. But by that very fact, the state is subject to God, and its authority is limited by his law. When, therefore, the state officials demand of their citizens what would be contrary to God's law, they are exceeding the authority given by God. For God cannot contradict himself.

Governments, then, just as well as individuals, are subject to the moral law; and governments, just as well as individuals, can violate the moral law.

No government is omnipotent, in the sense of being superior to certain fundamental principles of morality; nor is any government infallible in the sense of always being right in judging that its conduct is in conformity with the moral law. Consequently, no government has a right to absolute obedience from its citizens.

Obviously, all governments are composed of individual human beings. Those individuals are as fallible in their corporate as in their individual capacity. They can and do make mistakes. And, although normally the presumption is in favor of the state as against the individual, nevertheless when an individual citizen is conscientiously convinced that his government's officials have made a moral mistake, he may have the obligation of actually disobeying their commands.

Limitation of Government

This limitation upon governmental authority has a very important application in regard to war. For war implies the willingness to expose one's life on the assumption of the rightness of one's own government, and the endeavor to take the lives of those who are the subjects of the opposing government. If the war is not justified, then one is participating in wholesale murder; one is violating on a grand scale the commandment, "Thou shalt not kill."

Now, there is the same obligation on the part of the individual citizen to refuse cooperation with a government committing a moral crime as to refuse cooperation with an individual criminal. Theft and homicide committed by governments through war may violate the moral law just as much as theft and homicide committed by a Chicago gangster—or may violate it more seriously because on a larger scale. God's law is not changed by the citizen donning a uniform. There may come a time when the citizen, if he is to render to God the things that are God's, must refuse to Caesar the things that Caesar is demanding.

Catholic moralists admit, indeed, that war may sometimes be justified—but more than a mere dec-

laration by a government is needed for war's justification. First of all, to be just a war must be in vindication of a violated right; then secondly, it must be a last resort, after all peaceful means have failed; and finally, the good to be obtained by war must be prudently judged to outweigh the evil resulting from the use of force. Some Catholic moralists would embrace in the purview of this good and evil not only the particular nation vindicating its right, but the whole civilized world.

Evils of War

Theoretically, a war may be justified under the aforementioned conditions. But whether in the present situation of modern warfare, anyone can prudently conclude that more good than evil will result from war may easily be questioned. Looking back on the recent European war, and considering the increased effectiveness of gas and germ and aerial warfare, one might rather conclude that any evils of peace would be less than the horrors of war.

On the other hand, it must be acknowledged that the individual citizen will seldom be in a position to judge whether or not these theoretical conditions justifying war are actually fulfilled. For he will get only the information his government wants him to get. A case will be built to make him conclude that all peaceful means have failed to vindicate the violated right, and that his own nation is going to be so easily victorious the good will outweigh the evil.

And if the supreme court had confined itself to this practical aspect of the question, I do not see that its decision would have conflicted with Catholic principles. But the court goes beyond this to enunciate a principle of state supremacy denying that congress could ever make a mistake in determining whether or not these conditions are fulfilled. That is, the supreme court makes congress omnipotent and infallible as against the conscience of the individual citizen. A secretary of state or a senator, knowing the actual facts and fully convinced that all peaceful means had not been exhausted, would yet be bound to help in killing the citizens of the attacked nation.

By this decision of the supreme court, as I have said, we are brought face to face with a conception of the state in sharp conflict with the fundamental Christian attitude. But more than this, the decision is in sharp contrast with what many born Americans thought was the most fundamental of all American principles—freedom of conscience. And born Americans are affected by this decision just as much as naturalized citizens.

Is Congress Infallible?

Moreover, the logical weakness of the supreme court's decision is perfectly obvious when we consider war as a two-sided affair. For if war is justified from one side, then it is unjustifiable from the other. The fact that governments may make mistakes, and that citizens do not always have a moral obligation to obey, is clearly recognized in regard to other governments. During the European war, we held that the central powers were wrong, and we tried to convince German citizens that they should not cooperate with a government committing such a crime against humanity. But whence does *our* congress get an infallibility in declaring war that no opposing government could possibly have?

And curiously enough, this decision of the supreme court seems in essential contradiction to its own existence. For the decision pledges all citizens to obedience, no matter what the commands of the government. And if this principle had not been violated by the American colonists, there would not now be a supreme court of the United States, for there would be no United States.

Douglas Clyde Macintosh

By Halford E. Luccock

ABOUT two years ago a group of applicants for final papers for American citizenship stood before the United States court in New Haven. As part of the occasion, there was presented to each applicant by the Colonial Dames of America a neatly engraved card on which was expressed a warm and cordial welcome into United States citizenship. On one of the cards was written the name—Douglas Clyde Macintosh.

There is an ironical interest in that innocent little card, in the light of the long chapter of legal history since Professor Macintosh secured that fervent, if unofficial, welcome into the fold. For the interrupted ceremony of which it was the souvenir has done more to project the question of the basis and nature of citizenship into the public mind than any occurrence in many years, perhaps more than any since the naturalization laws were passed. Professor Macintosh and his case have been catapulted not only onto the front page of national attention but into the interest of the world.

The Personality Behind the Case

Attention has been so directed to the case, its bearings on the questions of war, of patriotism and law, that it is well to remind ourselves that the Macintosh "case" is not only a "case," with all the academic and technical suggestions of that anemic word. It has at its center a man. And it is the personality of the man which has given the case a large part both of its practical and moral strength, and its interest compelling qualities. It is very unusual in that respect. On the one hand, few, if any, legal cases have ever been argued before the higher courts of the nation with a sharper focus on the impersonal issues involved. Yet on the other hand, no case has ever derived more intangible force from the outstanding personality involved.

Perhaps we would not be far astray in ascribing some of the personal qualities of Professor Macin-

tosh to his Scotch ancestry. He has a Scotch thrift of words, though at times in the exposition of philosophical and theological viewpoints this thrift is touched by moments of "un-Scotch" bursts of prodigality; a Scotch genius for metaphysics and a conscience worthy of centuries of kirk and covenant. If one were to take a figure of speech from the land of his origin, it might be said that he resembles a Highland hill, outwardly soft with the warmth and color of the heather, inwardly rugged and strong as the granite underneath the heather. This same combination appears in a phrase coined by another Scotchman, Thomas Carlyle, "A trip hammer with an Aeolian attachment." In personal contact with Dr. Macintosh one meets first the "Aeolian attachment." In the classroom and in his books one meets the "trip hammer" of logical thinking and forceful statement.

Theological Contributions

This is not the place for any estimate of Professor Macintosh's contribution to religious and philosophical thought. The present writer is emphatically not the one to essay such an undertaking. He would as soon set forth on the delightful task of interpreting in a few sentences the theory of relativity. Concerning Professor Macintosh's high and secure place as a leading contributor to the philosophical and theological thinking of the present century there is no dispute. This place has been won partly through his published books, such as "The Reasonableness of Christianity," "Theology as an Empirical Science," and the volume published this year, "My Pilgrimage of Faith in the Modern World," and others. But it has been achieved also through his teaching and training many men now occupying important chairs in philosophy and religion in colleges, universities and theological schools throughout this country and abroad. This major contribution has been made not only as professor of systematic theology in the Yale divinity school but also as chairman of the department of religion of Yale university.

Dr. Macintosh was born in Ontario, Canada, graduated from MacMaster university in Toronto, and took his graduate work at the University of Chicago, receiving the Ph.D. degree there in 1909. He has taught in two Canadian institutions, as instructor in philosophy in MacMaster university and professor of biblical and systematic theology in Brandon college, Manitoba. He came to Yale in 1909.

A Previous Controversy

The denial of United States citizenship to Professor Macintosh forms the third brush which he has had with the immigration laws of the country. The first seems to come right out of a journal of humor. When coming to Yale, he was stopped at the border by an immigration officer, who inquired if he had a contract to work in the United States. Dr. Macintosh replied that he had, and was told that in that case he could not enter, as it was in violation of the contract labor law. Dr. Macintosh then explained that he was going to work for an institution of which the President of the United States (Mr. Taft) was one of the directors. The inspector was adamant. Finally, he asked Dr. Macintosh what he was going to do. "Teach in Yale university," was the reply. "Oh," exclaimed the relieved immigration authority, "that's different. That's all right. I thought you said you were going to *work*."

The second controversy was a long one—and since the death of the late lamented Lewis Carroll there is no one left able to treat it adequately. It reads like a chapter right out of "Alice in Wonderland." The question has often been asked why Professor Macintosh waited twenty years after his beginning of settled residence in this country to apply for citizenship. There is a double answer to that. The five-year residence period necessary before an alien may take out his first papers was finished in 1914. But just at that time the war broke out, and Professor Macintosh was very reluctant to renounce his British citizenship just at the moment of war. Feeling strongly the ties which bound him to his native land, Canada, when she entered the war, he delayed applying for United States citizenship, and wrote to the Canadian military authorities offering his services, which were accepted. He was commissioned a chaplain in the Canadian E. F. and served two years in England and at the front in France. Returning in 1917 to his work in Yale, he again entered war service when the United States entered the war, going to France a second time in 1918 with the American Y. M. C. A. and working among United States troops.

Alice and the Mad Hatter

On his return from the war he made application for United States citizenship. And this is where Lewis Carroll and Alice and the Mad Hatter and the Red Queen and the whole company come into the story. For, believe it or not, his application was held up for years because the immigration officials could find no documentary proof in their own records of the fact of his entry! The fact that he was unquestionably here, had been unquestionably here for years, meant nothing to the bureaucratic mind. No record of the entry could be found in the tangle of red tape in the office. That was enough. The fact that he had entered as publicly as a man could enter, to the accompaniment of newspaper stories of his appointment to Yale, all over the country, scores of which were offered as evidence, weighed nothing in the balance. It was just as though the Red Queen had shouted, "Off with his head! He doesn't exist. He isn't in the country for it isn't in my little red book. Of course, I can see him, but that's an optical illusion!" This comedy of errors was carried on through several years. Finally, after a trip around the world in 1928, which he was forced to make on a British passport, thus necessitating a cancelation of his first papers for citizenship, Professor Macintosh conceived the bright idea of offering some first aid to the authorities. He sent them the date of his re-entry

into the United States from Japan, and that was later found in the records. So his presence in the United States was proved! From then on the process toward citizenship was smooth until the final barrier was raised by the courts.

No Pacifist

Professor Macintosh's distinguished war record contributed enormously to the strength of his case at the bar of public opinion, at least. If he had presented the simple case of the absolute pacifist, it would have been easy for professional patriots to create in many minds the bogey of a "menace" to the republic. This veteran of two armies proved, for the purposes of creating the picture of a "menace," about as easy to grasp and handle as a porcupine.

Civic affairs have continually aroused the keenest interest and participation on the part of this rejected citizen. His thinking on economic and social questions has been very progressive, thinking of a type that would be called radical by many. His opinions in these fields are expressed with the same quietness and the same courage which marked his attitude on refusing to sign a blanket agreement to participate in any and all wars, sight unseen, which the government might arrange.

Professor Macintosh would never be mistaken for the president of a Rotary Club. Nature never designed him as a convention greeter. On the other hand, he would never come under the heading of the title of a recent book, "God's Frozen Children." Hundreds of students and a greater multitude of friends outside of the student ranks, have experienced the warmth of his friendship, his understanding sympathy and inspiring devotion. The whole man, his personality and services, throw into the brightest light possible, the loss which the majority decision of the supreme court has brought the country.

The Majority Opinion of the Supreme Court

SUPREME COURT OF THE UNITED STATES

No. 504—OCTOBER TERM, 1930.

The United States, Petitioner, *vs.* Douglas Clyde Macintosh. } On Writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

[May 25, 1931.]

Mr. Justice SUTHERLAND delivered the opinion of the Court.

The respondent was born in the Dominion of Canada. He came to the United States in 1916, and in 1925 declared his intention to become a citizen. His petition for naturalization was presented to the federal district court for Connecticut, and that court, after hearing and consideration, denied the application upon the ground that, since petitioner would not promise in advance to bear arms in defense of the United States unless he believed the war to be morally justified, he was not attached to the principles of the Constitution. The Circuit Court of Appeals reversed the decree and directed the district court to admit respondent to citizenship. 42 F. (2d) 845.

The Naturalization Act, § 4, c. 3592, 34 Stat. 596 (U. S. C., Title 8, § 372 *et seq.*), provides that an alien may be admitted to citizenship in the manner therein provided and not otherwise. By § 3 of the same act, jurisdiction to naturalize aliens is conferred upon the district courts of the United States and other enumerated courts of record. U. S. C., Title 8, § 357. The applicant is required to make and file a preliminary declaration in writing setting forth, among other things, his intention to become a citizen of the United States and to renounce all allegiance to any foreign prince, etc. Section 4 of the act (U. S. C., Title 8, §§ 381, 382) provides:

"Third. He shall, before he is admitted to citizenship, declare on oath in open court that he will support the Constitution of the United States, and that he absolutely and entirely renounces and abjures all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly by name to the prince, potentate, state, or sovereignty of which he was before a citizen or subject; that he will support and defend the Constitution and laws of the United States against all enemies, foreign and domestic, and bear true faith and allegiance to the same.

"Fourth. It shall be made to appear to the satisfaction of the court admitting any alien to citizenship that immediately preceding the date of his application he has resided continuously within the United States five years at least, and within the State or Territory where such court is at the time held one year at least, and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same. In addition to the oath of the applicant, the testimony of at least two witnesses, citizens of the United States, as to the facts of residence, moral character, and attachment to the principles of the Constitution shall be required, . . ."

Section 9 of the act, 34 Stat. 599 (U. S. C., Title 8, § 398), requires that every final hearing upon a petition for naturalization shall be had in open court; that every final order upon the petition shall be under the hand of the court; and that "upon such final hearing of such petition the applicant and witnesses shall be examined under oath before the court and in the presence of the court." By § 11, 34 Stat. 599 (U. S. C., Title 8, § 399), it is provided that the United States shall have the right to appear in the proceeding for the purpose of cross-examining the petitioner and witnesses produced in support of the petition "concerning any matter touching or in any way affecting his right to admission to citizenship, and shall have the right to call witnesses, produce evidence, and be heard in opposition to the granting of any petition in naturalization proceedings."

By the petition for naturalization a case is presented for the exercise of the judicial power under the Constitution, to which the United States is a proper, and always a possible, adverse party. *Tutun* v. *United States*, 270 U. S. 568, 576-577.

Naturalization is a privilege, to be given, qualified or withheld as Congress may determine, and which the alien may claim as of right only upon compliance with the terms which Congress imposes. That Congress regarded the admission to citizenship as a serious matter is apparent from the conditions and precautions with which it carefully surrounded the subject. Thus, among other provisions, it is required that the applicant not only shall

reside continuously within the United States for a period of at least five years immediately preceding his application, but shall make a preliminary declaration of his intention to become a citizen at least two years prior to his admission. He must produce the testimony of witnesses as to the facts of residence, moral character and attachment to the principles of the Constitution, and in open court take an oath renouncing his former allegiance and pledging future allegiance to the United States. At the final hearing in open court, he and his witnesses must be examined under oath, and the government may appear for the purpose of cross-examining in respect of "any matter touching or in any way affecting his right to admission," introduce countervailing evidence, and be heard in opposition.

In specifically requiring that the court shall be satisfied that the applicant, during his residence in the United States, has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, etc., it is obvious that Congress regarded the *fact* of good character and the *fact* of attachment to the principles of the Constitution as matters of the first importance. The applicant's behavior is significant to the extent that it tends to establish or negative these facts.

But proof of good behavior does not close the inquiry. Why does the statute require examination of the applicant and witnesses in open court and under oath, and for what purpose is the government authorized to cross-examine concerning any matter *touching* or in any way *affecting* the right of naturalization? Clearly, it would seem, in order that the court and the government, whose power and duty in that respect these provisions take for granted, may discover whether the applicant is fitted for citizenship;—and to that end, by actual inquiry, ascertain, among other things, whether he has intelligence and good character; whether his oath to support and defend the Constitution and laws of the United States, and to bear true faith and allegiance to the same, will be taken without mental reservation or purpose inconsistent therewith; whether his views are compatible with the obligations and duties of American citizenship; whether he will upon his own part observe the laws of the land; whether he is willing to support the government in time of war, as well as in time of peace, and to assist in the defense of the country, not to the extent or in the manner that he may choose, but to such extent and in such manner as he lawfully may be required to do. These, at least, are matters which are of the essence of the statutory requirements, and in respect of which the mind and conscience of the applicant may be probed by pertinent inquiries, as fully as the court, in the exercise of a sound discretion, may conclude is necessary.

The settled practice of the courts having jurisdiction in naturalization proceedings has, from the beginning, been in accordance with this view. *In re Bodek,* 63 Fed. 813; *In re Meakins,* 164 Fed. 334; *In re Madurri,* 176 Fed. 465, 466; *In re Ross,* 188 Fed. 685; *United States* v. *Bressi,* 208 Fed. 369, 372; *Schurmann* v. *United States,* 264 Fed. 917, 920; *In re Sigelman,* 268 Fed. 217. And it finds support in the decisions of this court. As early as 1830, in *Spratt* v. *Spratt,* 4 Pet. 393, 407, Chief Justice Marshall, speaking for the court, said:

"The various acts upon the subject submit the decision on the right of aliens to admission as citizens to courts of record. They are to receive testimony, to compare it with the law, and to judge on both law and fact."

United States v. *Schwimmer,* 279 U. S. 644, 649.

With the foregoing statutory provisions and the scope of the powers and duties of the courts of first instance in respect thereof in mind, we come to a consideration of the case now before us. The applicant had complied with all the formal requirements of the law, and his personal character and conduct were shown to be good in all respects. His right to naturalization turns altogether upon the effect to be given to certain answers and qualifying statements made in response to interrogatories propounded to him.

Upon the preliminary form for petition for naturalization, the following questions, among others, appear: "20. Have you read the following oath of allegiance? [which is then quoted]. Are you willing to take this oath in becoming a citizen?" "22. If necessary, are you willing to take up arms in defense of this country?" In response to the questions designated 20, he answered "Yes." In response to the question designed 22, he answered, "Yes; but I should want to be free to judge of the necessity." By a written memorandum subsequently filed, he amplified these answers as follows:

"20 and 22. I am willing to do what I judge to be in the best interests of my country, but only in so far as I can believe that this is not going to be against the best interests of humanity in the long run. I do not undertake to support 'my country, right or wrong' in any dispute which may arise, and I am not willing to promise beforehand, and without knowing the cause for which my country may go to war, either that I will or that I will not 'take up arms in defense of this country,' however 'necessary' the war may seem to be to the Government of the day.

"It is only in a sense consistent with these statements that I am willing to promise to 'support and defend' the Government of the United States 'against all enemies, foreign and domestic.' But, just because I am not certain that the language of questions 20 and 22 will bear the construction I should have to put upon it in order to be able to answer them in the affirmative, I have to say that I do not know that I can say 'Yes' in answer to these two questions."

Upon the hearing before the district court on the petition, he explained his position more in detail. He said that he was not a pacifist; that if allowed to interpret the oath for himself he would interpret it as not inconsistent with his position and would take it. He then proceeded to say that he would answer question 22 in the affirmative only on the understanding that he would have to believe that the war was morally justified before he would take up arms in it or give it his moral support. He was ready to give to the United States all the allegiance he ever had given or ever could give to any country, but he could not put allegiance to the government of any country before allegiance to the will of God. He did not anticipate engaging in any propaganda against the prosecution of a war which the government had already declared and which it considered to be justified; but he preferred not to make any absolute promise at the time of the hearing, because of his ignorance of all the circumstances which might affect his judgment with reference to such a war. He did not question that the government under certain conditions could regulate and restrain the conduct of the individual citizen, even to the extent of imprisonment. He recognized the principle of the submission of the individual citizen to the opinion of the majority in a democratic country; but he did not believe in having his own moral problems solved for him by the majority. The position thus taken was the only one he could take consistently with his moral principles and with what he understood to be the moral principles of Christianity. He recognized, in short, the right of the government to restrain the freedom of the individual for the good of the social whole; but was convinced, on the other hand, that the individual citizen should have the right respectfully to withhold from the government military services (involving, as they probably would, the taking of human life), when his best moral judgment would compel him to do so. He was willing to support his country, even to the extent of bearing arms, if asked to do so by the government, in any war which he could regard as morally justified.

There is more to the same effect, but the foregoing is sufficient to make plain his position.

These statements of the applicant fairly disclose that he is unwilling to take the oath of allegiance, except with these important qualifications: That he will do what he judges to be in the best interests of the country only in so far as he believes it will not be against the best interests of humanity in the long run; that he will not assist in the defense of the country by force of arms or give any war his moral support unless he believes it to be morally justified, however necessary the war might seem to the government of the day; that he will hold himself free to judge of the morality and necessity of the war, and while he does not anticipate engaging in propaganda against the prosecution of a war declared and considered justified by the government, he prefers to

make no promise even as to that; and that he is convinced that the individual citizen should have the right to withhold his military services when his best moral judgment impels him to do so.

Thus stated, the case is ruled in principle by United States v. Schwimmer, supra. In that case the applicant, a woman, testified that she would not take up arms in defense of the country. She was willing to be treated on the basis of a conscientious objector who refused to take up arms in the recent war, and seemed to regard herself as belonging in that class. She was an uncompromising pacifist, with no sense of nationalism, and only a cosmic sense of belonging to the human family. Her objection to military service, we concluded, rested upon reasons other than her inability to bear arms because of sex or age; and we held that her application for naturalization should be denied upon the ground, primarily, that she failed to sustain the burden of showing that she did not oppose the principle making it a duty of citizens, by force of arms when necessary, to defend their country against its enemies. At page 650 we said:

"That it is the duty of citizens by force of arms to defend our government against all enemies whenever necessity arises is a fundamental principle of the Constitution.

"The common defense was one of the purposes for which the people ordained and established the Constitution. . . . We need not refer to the numerous statutes that contemplate defense of the United States, its Constitution and laws by armed citizens. This Court, in the Selective Draft Law Cases, 245 U. S. 366, speaking through Chief Justice White, said (p. 378) that 'the very conception of a just government and its duty to the citizen includes the reciprocal obligation of the citizen to render military service in case of need. . . .'

"Whatever tends to lessen the willingness of citizens to discharge their duty to bear arms in the country's defense detracts from the strength and safety of the Government. And their opinions and beliefs as well as their behavior indicating a disposition to hinder in the performance of that duty are subjects of inquiry under the statutory provisions governing naturalization and are of vital importance, for if all or a large number of citizens oppose such defense the 'good order and happiness' of the United States can not long endure. And it is evident that the views of applicants for naturalization in respect of such matters may not be disregarded. The influence of conscientious objectors against the use of military force in defense of the principles of our Government is apt to be more detrimental than their mere refusal to bear arms. The fact that, by reason of sex, age or other cause, they may be unfit to serve does not lessen their purpose or power to influence others. It is clear from her own statements that the declared opinions of respondent as to armed defense by citizens against enemies of the country were directly pertinent to the investigation of her application."

And see In re Roeper, 274 Fed. 490; Clark's Case, 301 Pa. 321. There are few finer or more exalted sentiments than that which finds expression in opposition to war. Peace is a sweet and holy thing, and war is a hateful and an abominable thing to be avoided by any sacrifice or concession that a free people can make. But thus far mankind has been unable to devise any method of indefinitely prolonging the one or of entirely abolishing the other; and, unfortunately, there is nothing which seems to afford positive ground for thinking that the near future will witness the beginning of the reign of perpetual peace for which good men and women everywhere never cease to pray. The Constitution, therefore, wisely contemplating the ever present possibility of war, declares that one of its purposes is to "provide for the common defense." In express terms Congress is empowered "to declare war," which necessarily connotes the plenary power to wage war with all the force necessary to make it effective; and "to raise . . . armies," which necessarily connotes the like power to say who shall serve in them and in what way.

From its very nature the war power, when necessity calls for its exercise, tolerates no qualifications or limitations, unless found in the Constitution or in applicable principles of international law. In the words of John Quincy Adams—"This power is tremendous; it is strictly constitutional; but it breaks down every barrier so anxiously erected for the protection of liberty, property and of life." To the end that war may not result in defeat, freedom of speech may, by act of Congress, be curtailed or denied so that the morale of the people and the spirit of the army may not be broken by seditious utterances; freedom of the press curtailed to preserve our military plans and movements from the knowledge of the enemy; deserters and spies put to death without indictment or trial by jury; ships and supplies requisitioned; property of alien enemies, theretofore under the protection of the Constitution, seized without process and converted to the public use without compensation and without due process of law in the ordinary sense of that term; prices of food and other necessities of life fixed or regulated; railways taken over and operated by the government; and other drastic powers, wholly inadmissible in time of peace, exercised to meet the emergencies of war.

These are but illustrations of the breadth of the power; and it necessarily results from their consideration that whether any citizen shall be exempt from serving in the armed forces of the Nation in time of war is dependent upon the will of Congress and not upon the scruples of the individual, except as Congress provides. That body, thus far, has seen fit, by express enactment, to relieve from the obligation of armed service those persons who belong to the class known as conscientious objectors; and this policy is of such long standing that it is thought by some to be beyond the possibility of alteration. Indeed, it seems to be assumed in this case that the privilege is one that Congress itself is powerless to take away. Thus it is said in carefully prepared brief of respondent:

"To demand from an alien who desires to be naturalized an unqualified promise to bear arms in every war that may be declared, despite the fact that he may have conscientious religious scruples against doing so in some hypothetical future war, would mean that such an alien would come into our citizenry on an unequal footing with the native born, and that he would be forced, as the price of citizenship, to forego a privilege enjoyed by others. That is the manifest result of the fixed principle of our Constitution, zealously guarded by our laws, that a citizen cannot be forced and need not bear arms in a war if he has conscientious religious scruples against doing so."

This, if it means what it seems to say, is an astonishing statement. Of course, there is no such principle of the Constitution, fixed or otherwise. The conscientious objector is relieved from the obligation to bear arms in obedience to no constitutional provision, express or implied; but because, and only because, it has accorded with the policy of Congress thus to relieve him. The alien, when he becomes a naturalized citizen, acquires, with one exception, every right possessed under the Constitution by those citizens who are native born (*Luria* v. *United States*, 231 U. S. 9, 22); but he acquires no more. The privilege of the native born conscientious objector to avoid bearing arms comes not from the Constitution, but from the acts of Congress. That body may grant or withhold the exemption as in its wisdom it sees fit; and if it be withheld, the native born conscientious objector cannot successfully assert the privilege. No other conclusion is compatible with the well-nigh limitless extent of the war powers as above illustrated, which include, by necessary implication, the power, in the last extremity, to compel the armed service of any citizen in the land, without regard to his objections or his views in respect of the justice or morality of the particular war or of war in general. In *Jacobson* v. *Massachusetts*, 197 U. S. 11, 29, this court, speaking of the liberties guaranteed to the individual by the Fourteenth Amendment, said:

". . . and yet he may be compelled, by force if need be, against his will and without regard to his personal wishes or his pecuniary interests, or even his religious or political convictions, to take his place in the ranks of the army of his country and risk the chance of being shot down in its defense."

The applicant for naturalization here is unwilling to become a citizen with this understanding. He is unwilling to leave the question of his future military service to the wisdom of Congress where it belongs, and where every native born or admitted citizen is obliged to leave it. In effect, he offers to take the oath of allegiance only with the qualification that the question whether

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the war is necessary or morally justified must, so far as his support is concerned, be conclusively determined by reference to his opinion.

When he speaks of putting his allegiance to the will of God above his allegiance to the government, it is evident, in the light of his entire statement, that he means to make *his own interpretation* of the will of God the decisive test which shall conclude the government and stay its hand. We are a Christian people (*Holy Trinity Church* v. *United States*, 143 U. S. 457, 470-471), according to one another the equal right of religious freedom, and acknowledging with reverence the duty of obedience to the will of God. But, also, we are a Nation with the duty to survive; a Nation whose Constitution contemplates war as well as peace; whose government must go forward upon the assumption, and safely can proceed upon no other, that unqualified allegiance to the Nation and submission and obedience to the laws of the land, as well those made for war as those made for peace, are not inconsistent with the will of God.

The applicant here rejects that view. He is unwilling to rely, as every native born citizen is obliged to do, upon the probable continuance by Congress of the long established and approved practice of exempting the honest conscientious objector, while at the same time asserting his willingness to conform to whatever the future law constitutionally shall require of him; but discloses a present and fixed purpose to refuse to give his moral or armed support to any future war in which the country may be actually engaged, if, in his opinion, the war is not morally justified, the opinion of the Nation as expressed by Congress to the contrary notwithstanding.

If the attitude of this claimant, as shown by his statements and the inferences properly to be deduced from them, be held immaterial to the question of his fitness for admission to citizenship, where shall the line be drawn? Upon what ground of distinction may we hereafter reject another applicant who shall express his willingness to respect any particular principle of the Constitution or obey any future statute only upon the condition that he shall entertain the opinion that it is morally justified? The applicant's attitude, in effect, is a refusal to take the oath of allegiance except in an altered form. The qualifications upon which he insists, it is true, are made by parol and not by way of written amendment to the oath; but the substance is the same.

It is not within the province of the courts to make bargains with those who seek naturalization. They must accept the grant and take the oath in accordance with the terms fixed by the law, or forego the privilege of citizenship. There is no middle choice. If one qualification of the oath be allowed, the door is opened for others, with utter confusion as the probable final result. As this Court said in *United States* v. *Manzi*, 276 U. S. 463, 467:

"Citizenship is a high privilege, and when doubts exist concerning a grant of it, generally at least, they should be resolved in favor of the United States and against the claimant."

The Naturalization Act is to be construed "with definite purpose to favor and support the Government," and the United States is entitled to the benefit of any doubt which remains in the mind of the court as to any essential matter of fact. The burden was upon the applicant to show that his views were not opposed to "the principle that it is a duty of citizenship, by force of arms when necessary, to defend the country against all enemies, and that [his] opinions and beliefs would not prevent or impair the true faith and allegiance required by the Act." *United States* v. *Schwimmer, supra*, 649, 650, 653. We are of opinion that he did not meet this requirement. The examiner and the court of first instance who heard and weighed the evidence and saw the applicant and witnesses so concluded. That conclusion, if we were in doubt, would not be rejected except for good and persuasive reasons, which we are unable to find.

The decree of the court of appeals is reversed and that of the district court is affirmed.

A true copy.

Test:

Clerk, Supreme Court, U. S.

The Dissenting Opinion of Chief Justice Hughes

Justices Holmes, Brandeis and Stone Concurring

SUPREME COURT OF THE UNITED STATES

No. 504—OCTOBER TERM, 1930.

The United States, Petitioner, vs. Douglas Clyde Macintosh. } On Writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

[May 25, 1931.]

Mr. Justice HUGHES, dissenting.

I am unable to agree with the judgment in this case. It is important to note the precise question to be determined. It is solely one of law, as there is no controversy as to the facts. The question is not whether naturalization is a privilege to be granted or withheld. That it is such a privilege is undisputed. Nor, whether the Congress has the power to fix the conditions upon which the privilege is granted. That power is assumed. Nor, whether the Congress may in its discretion compel service in the army in time of war or punish the refusal to serve. That power is not here in dispute. Nor is the question one of the authority of Congress to exact a promise to bear arms as a condition of its grant of naturalization. That authority, for the present purpose, may also be assumed.

The question before the Court is the narrower one whether the Congress has exacted such a promise. That the Congress has not made such an express requirement is apparent. The question is whether that exaction is to be implied from certain general words which do not, as it seems to me, either literally or historically, demand the implication. I think that the requirement should not be implied, because such a construction is directly opposed to the spirit of our institutions and to the historic practice of the Congress. It must be conceded that departmental zeal may not be permitted to outrun the authority conferred by statute. If such a promise is to be demanded, contrary to principles which have been respected as fundamental, the Congress should exact it in unequivocal terms, and we should not, by judicial decision, attempt to perform what, as I see it, is a legislative function.

In examining the requirements for naturalization, we find that the Congress has expressly laid down certain rules which concern the opinions and conduct of the applicant. Thus it is provided that no person shall be naturalized "who disbelieves in or who is opposed to organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specified

individuals or of officers generally, of the Government of the United States, or of any other organized government, because of his or their official character, or who is a polygamist." Act of June 29, 1906, c. 3592, § 7; 34 Stat. 596, 598; U. S. C. Tit. 8, § 364. The respondent, Douglas Clyde Macintosh, entertained none of these disqualifying opinions and had none of the associations or relations disapproved. Among the specific requirements as to beliefs, we find none to the effect that one shall not be naturalized if by reason of his religious convictions he is opposed to war or is unwilling to promise to bear arms. In view of the questions which have repeatedly been brought to the attention of the Congress in relation to such beliefs, and having regard to the action of the Congress when its decision was of immediate importance in the raising of armies, the omission of such an express requirement from the naturalization statute is highly significant.

Putting aside these specific requirements as fully satisfied, we come to the general conditions imposed by the statute. We find one as to good behavior during the specified period of residence preceding application. No applicant could appear to be more exemplary than Macintosh. A Canadian by birth, he first came to the United States as a graduate student at the University of Chicago, and in 1907 he was ordained as a Baptist minister. In 1909 he began to teach in Yale University and is now a member of the faculty of the Divinity School, Chaplain of the Yale Graduate School, and Dwight Professor of Theology. After the outbreak of the Great War, he voluntarily sought appointment as a chaplain with the Canadian Army, and as such saw service at the front. Returning to this country, he made public addresses in 1917 in support of the Allies. In 1918, he went again to France where he had charge of an American Y. M. C. A. hut at the front until the armistice, when he resumed his duties at Yale University. It seems to me that the applicant has shown himself in his behavior and character to be highly desirable as a citizen and, if such a man is to be excluded from naturalization, I think the disqualification should be found in unambiguous terms and not in an implication which shuts him out and gives admission to a host far less worthy.

The principal ground for exclusion appears to relate to the terms of the oath which the applicant must take. It should be observed that the respondent was willing to take the oath, and he so stated in his petition. But, in response to further inquiries, he explained that he was not willing "to promise beforehand" to take up arms, "without knowing the cause for which my country may go to war" and that "he would have to believe that the war was morally justified." He declared that "his first allegiance was to the will of God;" that he was ready to give to the United States "all the allegiance he ever had given or ever could give to any country, but that he could not put allegiance to the government of any country before allegiance to the will of God." The question then is whether the terms of the oath are to be taken as necessarily implying an assurance of willingness to bear arms, so that one whose conscientious convictions or belief of supreme allegiance to the will of God will not permit him to make such an absolute promise, cannot take the oath and hence is disqualified for admission to citizenship.

The statutory provision as to the oath which is said to require this promise is this: "that he will support and defend the Constitution and laws of the United States against all enemies, foreign and domestic, and bear true faith and allegiance to the same." Act of June 29, 1906, c. 3592, § 4, 34 Stat. 596, 598; U. S. C. Tit. 8, § 381. That these general words have not been regarded as implying a promise to bear arms notwithstanding religious or conscientious scruples, or as requiring one to promise to put allegiance to temporal power above what is sincerely believed to be one's duty of obedience to God, is apparent, I think, from a consideration of their history. This oath does not stand alone. It is the same oath in substance that is required by Act of Congress of civil officers generally (except the President, whose oath is prescribed by the Constitution). The Congress, in prescribing such an oath for civil officers, acts under Article VI, section 3, of the Constitution, which provides: "The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious test shall ever be required as a Qualification to any Office or public Trust under the United States." The general oath of office, in the form which has been prescribed by the Congress for over sixty years, contains the provision "that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion." (R. S., § 1757, U. S. C., Tit. 5, § 16.) It goes without saying that it was not the intention of the Congress in framing the oath to impose any religious test. When we consider the history of the struggle for religious liberty, the large number of citizens of our country from the very beginning, who have been unwilling to sacrifice their religious convictions, and in particular, those who have been conscientiously opposed to war and who would not yield what they sincerely believed to be their allegiance to the will of God, I find it impossible to conclude that such persons are to be deemed disqualified for public office in this country because of the requirement of the oath which must be taken before they enter upon their duties. The terms of the promise "to support and defend the Constitution of the United States against all enemies, foreign and domestic," are not, I think, to be read as demanding any such result. There are other and most important methods of defense, even in time of war, apart from the personal bearing of arms. We have but to consider the defense given to our country in the late war, both in industry and in the field, by workers of all sorts, by engineers, nurses, doctors and chaplains, to realize that there is opportunity even at such a time for essential service in the activities of defense which do not require the overriding of such religious scruples. I think that the requirement of the oath of office should be read in the light of our regard from the beginning for freedom of conscience. While it has always been recognized that the supreme power of government may be exerted and disobedience to its commands may be punished, we know that with many of our worthy citizens it would be a most heart-searching question if they were asked whether they would promise to obey a law believed to be in conflict with religious duty. Many of their most honored exemplars in the past have been willing to suffer imprisonment or even death rather than to make such a promise. And we also know, in particular, that a promise to engage in war by bearing arms, or thus to engage in a war believed to be unjust, would be contrary to the tenets of religious groups among our citizens who are of patriotic purpose and exemplary conduct. To conclude that the general oath of office is to be interpreted as disregarding the religious scruples of these citizens and as disqualifying them for office because they could not take the oath with such an interpretation would, I believe, be generally regarded as contrary not only to the specific intent of the Congress but as repugnant to the fundamental principle of representative government.

But the naturalization oath is in substantially the same terms as the oath of office to which I have referred. I find no ground for saying that these words are to be interpreted differently in the two cases. On the contrary, when the Congress reproduced the historic words of the oath of office in the naturalization oath, I should suppose that, according to familiar rules of interpretation, they should be deemed to carry the same significance.

The question of the proper interpretation of the oath is, as I have said, distinct from that of legislative policy in exacting military service. The latter is not dependent upon the former. But the long-established practice of excusing from military service those whose religious convictions oppose it confirms the view that the Congress in the terms of the oath did not intend to require a promise to give such service. The policy of granting exemptions in such cases has been followed from colonial times and is abundantly shown by the provisions of colonial and state statutes, of state constitutions, and of acts of Congress. See citations in the opinion of the Circuit Court of Appeals in the present case. 42 Fed. (2d) 845, 847, 848. The first constitution of New York, adopted in 1777, in providing for the state militia,

while strongly emphasizing the duty of defense, added "That all such of the inhabitants of this state (being of the people called Quakers) as, from scruples of conscience may be averse to the bearing of arms, be therefrom excused by the legislature, and do pay to the state such sums of money, in lieu of their personal service, as the same may, in the judgment of the legislature, be worth." Art XL. A large number of similar provisions are found in other States. The importance of giving immunity to those having conscientious scruples against bearing arms has been emphasized in debates in Congress repeatedly from the very beginning of our government, and religious scruples have been recognized in draft acts. Annals of Congress (Gales), 1st Congress, vol. I, pp. 434, 436, 729, 731; vol. II, pp. 1818-1827; Acts of February 24, 1864, 13 Stat. 6, 9; January 21, 1903, 32 Stat. 775; June 3, 1916, 39 Stat. 166, 197; May 18, 1917, 40 Stat. 76, 78. I agree with the statement in the opinion of the Circuit Court of Appeals in the present case that "This Federal legislation is indicative of the actual operation of the principles of the Constitution, that a person with conscientious or religious scruples need not bear arms, although as a member of society, he may be obliged to render services of a non-combatant nature."

Much has been said of the paramount duty to the State, a duty to be recognized, it is urged, even though it conflicts with convictions of duty to God. Undoubtedly that duty to the State exists within the domain of power, for government may enforce obedience to laws regardless of scruples. When one's belief collides with the power of the State, the latter is supreme within its sphere and submission or punishment follows. But, in the forum of conscience, duty to a moral power higher than the State has always been maintained. The reservation of that supreme obligation, as a matter of principle, would unquestionably be made by many of our conscientious and law-abiding citizens. The essence of religion is belief in a relation to God involving duties superior to those arising from any human relation. As was stated by Mr. Justice Field, in *Davis* v. *Beason*, 133 U. S. 333, 342: "The term 'religion' has reference to one's views of his relation to his Creator, and to the obligations they impose of reverence for his being and character, and of obedience to his will." One cannot speak of religious liberty, with proper appreciation of its essential and historic significance, without assuming the existence of a belief in supreme allegiance to the will of God. Professor Macintosh, when pressed by the inquiries put to him, stated what is axiomatic in religious doctrine. And, putting aside dogmas with their particular conceptions of deity, freedom of conscience itself implies respect for an innate conviction of paramount duty. The battle for religious liberty has been fought and won with respect to religious beliefs and practices, which are not in conflict with good order, upon the very ground of the supremacy of conscience within its proper field. What that field is, under our system of government, presents in part a question of constitutional law and also, in part, one of legislative policy in avoiding unnecessary clashes with the dictates of conscience. There is abundant room for enforcing the requisite authority of law as it is enacted and requires obedience, and for maintaining the conception of the supremacy of law as essential to orderly government, without demanding that either citizens or applicants for citizenship shall assume by oath an obligation to regard allegiance to God as subordinate to allegiance to civil power. The attempt to exact such a promise, and thus to bind one's conscience by the taking of oaths or the submission to tests, has been the cause of many deplorable conflicts. The Congress has sought to avoid such conflicts in this country by respecting our happy tradition. In no sphere of legislation has the intention to prevent such clashes been more conspicuous than in relation to the bearing of arms. It would require strong evidence that the Congress intended a reversal of its policy in prescribing the general terms of the naturalization oath. I find no such evidence.

Nor is there ground, in my opinion, for the exclusion of Professor Macintosh because his conscientious scruples have particular reference to wars believed to be unjust. There is nothing new in such an attitude. Among the most eminent statesmen here and abroad have been those who condemned the action of their country in entering into wars they thought to be unjustified. Agreements for the renunciation of war presuppose a preponderant public sentiment against wars of aggression. If, while recognizing the power of Congress, the mere holding of religious or conscientious scruples against all wars should not disqualify a citizen from holding office in this country, or an applicant otherwise qualified from being admitted to citizenship, there would seem to be no reason why a reservation of religious or conscientious objection to participation in wars believed to be unjust should constitute such a disqualification.

Apart from the terms of the oath, it is said that the respondent has failed to meet the requirement of "attachment to the principles of the Constitution." Here, again, is a general phrase which should be construed, not in opposition to, but in accord with, the theory and practice of our Government in relation to freedom of conscience. What I have said as to the provisions of the oath I think applies equally to this phase of the case.

The judgment in *United States* v. *Schwimmer*, 279 U. S. 644, stands upon the special facts of that case, but I do not regard it as requiring a reversal of the judgment here. I think that the judgment below should be affirmed.

Mr. Justice HOLMES, Mr. Justice BRANDEIS and Mr. Justice STONE concur in this opinion.

CORRESPONDENCE

Aha, a Romish Plot!

EDITOR THE CHRISTIAN CENTURY:

SIR: According to your editorial for December 30, you feel that one Father Cox's parade from Pittsburgh to Washington, with no apparent panacea in hand will at least serve to dramatize the urgency of the unemployment problem. Yet I wonder if you really meant that, or just said it to provoke serious thought about it. Surely the urgency is already impressive and depressive enough. What is to be gained by a Catholic priest's neglecting his parish duties and going gallivanting off to Washington, merely to lay a worldwide problem at the door of President Hoover as though he were the father of it?

Nothing constructive or helpful to the situation is to be gained by such political drama. It will only add to the shallow propaganda, so appetizing to Mr. Hoover's opposition, that the present universal economic dilemma, of which we Americans are suffering the least, is the result of the 1928 election, and the only salvation of the universe is to enthrone either Al Smith or one of his ilk. Cox's army will convince and enthuse great numbers of voters who are easily swept by the spectacular and sensational and who never stop to think twice in the same place. This piece of strategy, played in the neighborhood of the empire state, is timely and well aimed, from the standpoint of the honorable father's motives. Verily it smells of Rome.

Fairport Harbor, O. H. K. SMITH.

In Defense of Church Colleges

EDITOR THE CHRISTIAN CENTURY:

SIR: As a graduate of one of our berated church colleges I cannot but assume the role of a protagonist for the faith which it and other church colleges are keeping alive and giving to their students and alumni. As an apologist for the present condition of the church college I stand ready to grant any and all of the facts which Mr. Knopf mentioned. They have strengthened other departments. They have, and perhaps futilely, become subservient to the demands of the accrediting agencies. Perhaps some of them have even gone so far as to assume that "bug-butchering is liberalizing; religion . . . . but the bigoted rattling of dry bones." And it is perfectly true that the church college, as is, is falling under the questioning of many. My question as protagonist is not what, but why?

The church college today is not a school of religion, *per se*. It

never was. Most, if not all, existing church colleges were founded as colleges, that the students might learn how to put religion into practice in life. Like the churches they were founded for the glory of God, and the service of men. The modern church college under question by Mr. Knopf, and under the stimulus of the accrediting authorities and the modern mood, is merely developing the other side of its purpose when it installs a school of business administration, courses in science, and the ruthless academic search for knowledge into its organism. In fact, it is serving its purpose today when it produces men competent to labor in all fields of life, better than in the days when its exclusive products were ministers, missionaries and school teachers.

Chicago Theological Seminary. AUSTIN HEUVER.

For the Guidance of Government

EDITOR THE CHRISTIAN CENTURY:

SIR: If there is any United States senator or representative or member of the President's cabinet so unheeding of his political obligations and opportunities as not to be a subscriber to The Christian Century, you owe it to the nation to send him the January 6 issue marking the editorial, "Let Europe Repudiate." It is the strongest utterance yet made on the subject, especially as to the influence this would have on future financing of wars and international loans.

Coudersport, Pa. C. H. DUDLEY.

A Canadian Suggestion

EDITOR THE CHRISTIAN CENTURY:

SIR: I have just finished your editorial, "Let Europe Repudiate!" which I read with considerable interest. This interest was due, in part, to the suggestion you offer, and, in part, to the fact that a few days ago I read an editorial from another source that offered a quite different suggestion as to what ought to be done in connection with international debts. You might be interested in this other suggestion. It appeared in an editorial in the Toronto Globe, in the following words:

". . . The repudiated debts of the southern states are no laughing matter. British investors bought bonds which now amount, in principal and unpaid interest, to some £67,000,000. The money so raised was used to build roads, schools, railways, bridges, and other public works. Not one cent of these particular investments was used by the southern states for war purposes during the civil conflict. The bonds, indeed, were repudiated mostly before the civil war ever broke out.

"If John Bull were not quite so polite a gentleman he would gather up all these repudiated bonds and tender them as the next four semi-annual instalments on his war debt to Uncle Sam. The whole onlooking world would give three cheers and a tiger."

Toronto, Ont. L. J. HENRY.

To the Penitent Bench!

EDITOR THE CHRISTIAN CENTURY:

SIR: I read your editorial "Let Europe Repudiate" with mingled feelings. I think the article tries to be fair, but it contains a sentence which is not so convincing to one living outside the United States—the sentence which refers to that "entail of unpayable and unpaid debt amounting to more than twelve billion dollars" which the taxpayers of the United States must shoulder "in addition to the twenty-six billion dollars of the cost of the war which they voluntarily assumed." That sentence suggests that the United States is the innocent victim of her creditors. The truth is that the United States did not lend money to the allies during the war. To talk about money is to becloud the issue. The United States advanced munitions, foodstuffs and other commodities to Europe and then by a drastic raising of the tariff, refused to accept payment in kind. It is true that up to the present the debtor nations have paid, but how long can huge shipments of gold continue? This insane demand for gold instead of reciprocal trade has caused the collapse of international commerce, and history should record that fact also for the benefit of future Americans. I am in favor of a trip to the penitent bench; I hate war and all it means; but I want my American cousins to come along too. I favor a general confession for the sins of the world, but that includes the political follies of the republican party as well.

Port Hope, Ont. GORDON A. SISCO.

Applause Card

EDITOR THE CHRISTIAN CENTURY:

SIR: While your readers expect The Christian Century to lead the van of Christian thought they were not looking for your publication to achieve such signal honor in the arena of international politics as your editorial "Let Europe Repudiate" has won for you. This editorial is not a mere clap of thunder out of a clear sky; it is a bolt of forked lightning out of a sky murky with leaden clouds and blinding mists. It sets the goal and blazes the way to its attainment.

Oak Park, Ill. TRUMAN R. GREENE.

Unitarian Freedom

EDITOR THE CHRISTIAN CENTURY:

SIR: "How Free Is a Unitarian Minister?" This is the question that heads an editorial in your issue of December 23. The contents of this editorial and of an editorial in a previous issue lead to another pertinent question: How fair and how responsible is The Christian Century in its editorial comment? In both of these editorials you dealt with the question of freedom in the Unitarian churches. In neither of them did you have any first-hand knowledge whatever of the facts with which you were dealing. In the previous issue your comment was based upon an editorial in The Christian Register which admittedly you had never read. Even though you had read the editorial you would not have known all the facts in the incident upon which you commented. Yet even without that reading you discovered an insidious attack upon editorial freedom in the Unitarian church.

Now upon just as scant a basis you discover another attack upon the freedom of the pulpit in the Unitarian church. You have no information of your own and make no effort to secure it. You base your comment upon an editorial in Zion's Herald. This in its turn is based upon newspaper reports in which the church that accepted this minister's resignation had no hearing whatever. I am not passing judgment upon the merits of either case. I am simply pointing out that you did not have enough information in either case to make your comment either intelligent or fair. I should like also to point out that you cannot condemn a whole fellowship of independent churches because of the alleged lapses of two small units in it.

I would earnestly commend your valiant fight for freedom in the pulpit and in the editorial chair. That fight would be easier for the friends of liberty if preacher and editor alike exercised that freedom with more care than you have shown in these two instances.

The Unitarian readers of The Christian Century will await with interest the publication of this letter.

Boston, Mass. CHARLES R. JOY.

[Mr. Joy, who is the administrative vice-president of the American Unitarian association, seeks, to invalidate the issues raised in regard to the freedom of the Unitarian press and ministry by raising the irrelevant question of the source of the information on which our editorials were based. If Mr. Joy will address himself to the issue, and assert that there was no attempt on the part of the trustees to muzzle or discipline the editor of the Christian Register, and that Mr. Palmer was not asked to resign his pulpit because of the freedom of his discussion of vital social issues, we will be glad to return to consideration of this subject.—THE EDITORS.]

NEWS *of the* CHRISTIAN WORLD

A DEPARTMENT OF INTERDENOMINATIONAL ACQUAINTANCE

Rosenwald Ends Great Career

But His Philanthropies Carry On—The Unemployment Conference—Finds Cheering Note in the Drama

(Correspondence from Chicago)

CHICAGO, Jan. 11.—Julius Rosenwald is dead, but the new direction which he gave to the support of philanthropic enterprises will live on as an enduring monument. Mr. Rosenwald's benefactions in his lifetime are estimated to have totaled the vast sum of $62,000,000, and on his death-bed he brought about the organization of the Rosenwald Family association, a corporation composed of his children to carry on his unfinished philanthropic enterprises. In addition there is, of course, the Rosenwald fund which will continue its work.

Mr. Rosenwald was a Jew, but there was nothing sectarian in his giving. He supported Protestant, Catholic and Jewish enterprises. He is perhaps best known for his large gifts to Negro education and philanthropy. But how many know that he contributed liberally to the defense of Sacco and Vanzetti, and Mooney and Billings, and to the support of a variety of somewhat obscure enterprises which he investigated and approved? An interesting illustration of his personal attention to his gifts came to my own desk. I am responsible for the direction of certain extension lectures in religion given each quarter for the people of the churches in the divinity school of the University of Chicago. A few years ago Dean Mathews was announced to give a course of lectures on "Christ Through the Centuries," and I received a letter from Mr. Rosenwald's secretary saying that Mr. Rosenwald had seen the announcement, and it had occurred to him that a good many young people in the churches might be benefited by the lectures but would be prevented from attending through inability to pay the registration fee. Mr. Rosenwald, therefore, would be happy to pay the fees for from 50 to 100 such young people. A Jew volunteering to pay the fees for Protestant young people to hear lectures on Christ! There was catholicity of spirit.

* * *

Illinois Conference on Unemployment

The Chicago workers' committee on unemployment, cooperating with the joint committee on unemployment, held a two-day conference of unusual significance Jan. 3 and 4, in the Congress hotel, following which public hearings of the unemployed were held all week in various sections of the city. Presiding at various sessions were Prof. Robert Morss Lovett, Mr. Roy C. Jacobson, Prof. Arthur E. Holt, and Miss Lillian Herstein. Among the many speakers were Norman Thomas, socialist candidate for president at the last election; Prof. John A. Lapp, of Marquette university; Dr. James Mullenbach, chairman of the Chicago church federation's committee on the church and industry; Prof. Paul H. Douglas, who has recently returned from a study of European conditions; Rev. Edmund B. Chaffee, director of Labor temple, New York; John Walker, president of the Illinois Miners; Howard B. Myers, chief of the division of research and statistics, Illinois department of labor, and others. Dr. Paul Hutchinson was chairman of the committee on resolutions, and Mr. Karl Borders opened the conference by stating its purpose and introducing the chairman for the first session. There seemed to be unanimous agreement upon three major emphases: First, that in addition to all present measures of relief there is need for national action on a large scale through the federal government to meet the national emergency. Second, that unemployment insurance must replace the present charity doles. And third, that fundamental economic changes must be sought which will bring about a redistribution of incomes.

* * *

"The Play's the Thing"

Playgoers who have found themselves mired in the current cynicism and dirt of the stage have been able to tread on firmer ground and breathe purer air in Channing Pollock's "The House Beautiful," now appearing in Chicago after a long and successful run in New York. It is cheering to see such plays pack the house. But why shouldn't they? After all, the vast majority of folks are decent and simple in their tastes and ideals, but the stories of their lives are not very exciting and so do not often make the front page of the newspapers. But that sort of story makes this play.

* * *

And So Forth

Miss Jane Addams, who is scheduled to leave Johns Hopkins hospital in Baltimore today, has issued a statement urging a federal tax to aid the unemployed. She further indicates her purpose, as soon as possible, to resume her activities in the interest of international peace.

The Adult Education council, of which Fred Atkins Moore is director, is projecting a city-wide educational and recreational program in the interest of unemployed men and women. It seeks to substitute constructive and cheering interests for social strain and gloom.

A most attractive "Ministers' week" program, for Jan. 25-29, has been announced by the Chicago theological seminary.

CHARLES T. HOLMAN.

Canada Host To Mission Council

United Church Has Good Mission Year—Rural Problems Discussed—Five Year Program Considered

(Special Correspondence)

TORONTO, Jan. 6.—Somebody had a happy thought when the home missionary executives of the United States and Canada were invited to hold their annual meeting in Toronto, where the United Church of Canada has its offices. Thus were our home missionary leaders given an opportunity to observe a church which was born of the home missionary impulse and which is dedicating its wealth and its energies to the home missionary task. It was the pressing need of the frontier communities which led the Methodist, Presbyterian and Congregational bodies of Canada to join their forces in 1925—and the greatest achievement of the United church has been a more effective service to the scattered settlers of the north and west.

The very name "United Church of Canada" quickens the pulse-beat—and it is a title which the facts justify. With over 650,000 members the United church enrols six per cent of the population of the entire dominion, and exceeds in numbers the three other largest Protestant denominations combined. This comparatively small body is spending $1,300,000 a year on home missions and $1,000,000 on foreign. Even in such a disastrous year as the one which just closed the giving of the United church declined but four per cent, while it claims that there are only 24 qualified ministers of the United church in all Canada who have not been either called or appointed to churches. With half of her charges receiving mission aid, home missions lie exceedingly close to the heart of the United church.

A Panorama of Progress

The primary purpose of the annual meeting of the Home Missions council is to give her various committees an opportunity to "report progress." The result is to afford an excellent panorama of the various fronts on which our churches are undertaking cooperative tasks.

In his report on "The Christian Approach to the Jews," J. S. Conning, of the Presbyterian board, suggested that many Jews have lost contact with the synagogue and are living in close proximity to Christian churches. He argued that the best approach to the Jews was not through distinctively Jewish missions, but through the regular activities of our ordinary churches. To reach the non-synagogue Jew effectively, both ministers and churches need a better understanding of Jewish life.

thought and customs. Steps were taken towards providing an advisory service to seminaries and churches on a cooperative basis.

On recommendation of the committee on city and new Americans, it was voted to hold a conference on city problems in Chicago Nov. 28-30, in conjunction with the 50th anniversary of the Chicago Congregational union. James Myers of the Federal council made a characteristic speech urging the churches to christianize the social order, but without bringing in any definite blue-print as to how that little thing was to be accomplished.

Rural Problems

In similar fashion reports were brought in and speeches made concerning the rural problems of the United States and Canada, with Warren H. Wilson speaking on the country life of India. The Indians both north and south of the international boundary were discussed, with special reference to the religious work directors who are being maintained cooperatively in the various government schools. In private conversation one secretary remarked: "There really are not enough Indians to go around, and so each denomination has grabbed off all that it can get." Fortunately that day is passing.

The report on Alaska presented the problem which has arisen from the mingling of the reindeers belonging to the Eskimos with those owned by certain corporations, with apparent loss to the natives and gain to the capitalists. It was voted to labor with the authorities at Washington concerning the situation.

The heart of the meeting was the report of the committee on comity and five-year program of survey and adjustment, presented by Herman N. Morse and others. It was voted to set up a comity committee which could hear appeals in cases which local comity organizations had failed to settle difficulties. Oftentimes it was felt that an outside group could rise above the local personalities which stand in the way of comity adjustments. Progress was reported in the work of making state surveys which is being financed by interested individuals. George A. Guild stated his conviction that the next great development in interchurch work would come with the organization of state councils of churches such as have functioned effectively in Ohio and elsewhere.

A Union Project

Report was made by the executive secretary, W. R. King, of the opening of the religious center at Boulder city, where the workers on the Hoover dam will live. Seven denominations are sharing in the expense of this enterprise. Similar projects are either under consideration or under way at Havana, Cuba, Radburn, N. J., and Raburn Gap, Ga.

One of the speakers urged that the budget reductions caused by the stringency of the times be made in such a way as to eliminate competition and increase the amount of cooperative work.

On the final morning of the gathering, Jay S. Stowell precipitated a lively discussion by raising the question as to the distinction between the general task of the church and the specific activities of home missions. He characterized the sessions of the Home Missions council as "little meetings of the Federal council." He suggested that the best way to discover what home missions really are would be to have the denominations bring in their budgets and tell how the money is actually spent.

To one observer it seemed that the Home Missions council was playing with the periphery of church cooperation rather than addressing itself to major problems. It has discovered a variety of tasks which the denominations can carry on together and is undoubtedly "doing good" in many regions. Apparently most of the churches are willing to join hands in serving orientals, Indians, Eskimos, Mexicans and other groups where there is nothing to be lost by cooperation and something to be gained in the way of financial economy. But has not the time come when we can go further than that? In this particular gathering there were too many speeches, and whenever an illuminating discussion started to get under way, it was always time to "do something else." The president, John McDowell, and the other officers were reelected. It was voted that the committee on Negro work should be bi-racial and that Negroes should be elected to all of the more important committees of the council.

JOHN R. SCOTFORD.

Dr. Van Waters Heads Women's Reformatory

Dr. Miriam Van Waters, a foremost authority on juvenile and female delinquency, has accepted the position of superintendent of the Massachusetts reformatory for women, at Framingham, succeeding there the late Jessie D. Hodder.

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New York Youth Champion Peace

Presbyterian Young People Are Awake—Allied Forces Begin Campaign—Dr. Cadman Is Honored

(Correspondence from New York)

NEW YORK, Jan. 9.—That the peace movement is growing in our churches is evidenced by the coming program of the young people of the New York presbytery. For their meeting next Saturday they are to hear J. B. Matthews of the Fellowship of Reconciliation as well as a debate on the educational value of military training in the schools. There is also planned a "disarmament conference" in which some of the young people will take part, and after this Rev. Roswell P. Barnes, one of the best known of the younger peace advocates, will address the conference on the immediate tasks in the promotion of world peace. The advertising of this conference is also significant, for the document which first catches the eye displays in both letters the words "Never Again War," and asks, "Is the Kellogg-Briand pact, too, a scrap of paper?" The spread of such activities among our younger church groups is encouraging.

* * *

New York Hears Allied Forces for Prohibition

The Allied forces for prohibition begin their New York campaign next Wednesday with a men's luncheon at the Commodore hotel. Dr. Daniel A. Poling is to speak and answer questions from the floor. A women's luncheon is scheduled for Saturday at the Astor with addresses by Mrs. Gifford Pinchot and Prof. Thomas Nixon Carver, and at 3 p. m. of that same day there will be a rally of youth addressed by Col. Raymond Robins and others. On Sunday, the 17th, there will be two public meetings in the John Golden theater, one at 3 and another at 8, with Dr. Ira Landrith, Dr. Poling and others as speakers. Wide observance of the week of Jan. 16th is asked for as this will begin the twelfth year of prohibition. Other meetings are of course planned, but those just listed will give some idea of the force of the drive now under way in this city. There can be little doubt that these meetings, with a re-statement of the case for the 18th amendment, will put new heart into the friends of prohibition, so many of whom have been bulldozed and intimidated by our wet press.

* * *

More Funds for The Cathedral

Bishop Manning has just announced a bequest of $100,000 which with a special fund of $70,000 which has been raised will be used to keep men at work on the Cathedral of St. John the Divine. There has, of course, been a slowing down of the work being done on the cathedral due to the depression, but Bishop Manning says that it has not been necessary to stop the work and he promises that men will be kept at work, "up to the last dollar that is available."

* * *

Luncheon in Honor of Dr. Cadman

The World Alliance for international friendship through the churches has planned a luncheon for the 15th of this month in honor of Dr. S. Parkes Cadman. There is to be a presentation of decoration on behalf of the king of Sweden by the Swedish minister, and addresses of congratulation are to be made by William A. Prendergast, Rabbi Stephen S. Wise and Dr. Harry Emerson Fosdick.

* * *

Call to Prayer for Disarmament Conference

The Federal council and its commission on international justice and good will, of which Alanson B. Houghton is chairman, has issued a call to prayer for the disarmament conference. This call is issued from the office in New York and is addressed to the churches of the country and urges that Sunday, Jan. 31, be observed to invoke the divine blessing on the world disarmament conference. The signers of this plea stress the world's need for deepening the spiritual and moral life of all peoples. To quote the call itself: "Whence is this spirit to come if not from above—from the source of all spiritual life? How can this spirit arise unless millions of earnest souls open their hearts and minds to the divine will and pour out their prayers and their hopes before the Universal Father for his guidance and blessing? . . . Let us pray that the creative spirit of God may move among the peoples and may guide their leaders in the conference at Geneva."

* * *

Hoboes Give Program At Labor Temple

The Hobo Fellowship of America of which "Sky Drop" is president, and Dan O'Brien vice-president, gave a program last Saturday night at Labor Temple, 14th street and Second avenue to raise funds for their unemployed. It must be remembered that hoboes are not "bums" but migratory workers, and in normal times they are necessary to the smooth functioning of our economic life. Just now they are feeling the depression, but are making an heroic effort to care for themselves. Among their various activities in New York is the running of a "Hobo college" and the publishing of the "Hobo News" which is sold on the streets by the unemployed at 10 cents the copy. This publication makes interesting reading for the churchman. Let me quote: "The Federal council of churches are going to have a conference on unemployment during May 1932. Just why they didn't wait until 1950 is something we cannot comprehend, better still to the end of the world, then the unemployment situation would have solved itself—and the energy wasted at the May conference would have been spared the Federal council of churches." Also this, "Hoboes are too well versed in philosophy to be revolutionists." And this, "Panhandling is the same as salesmanship with its hypocrisy and bluff-garnish eliminated."

EDMUND B. CHAFFEE.

Buddhists Open New Retreat

All India Stirred by Dedication of New Shrine—Report on Mission Colleges Being Studied

(Correspondence from India)

NAGPUR, Dec. 5.—Sarnath, a few miles from the sacred Hindu city of Benares, is revered by millions of Buddhists as the place where Gautama Buddha proclaimed his message of love. Here we find the ruins of ancient monasteries and sculptures, and Buddhists from foreign countries come here on pilgrimage. A magnificent *vihara* (place of worship) recently constructed here with the help of Buddhists from all Asiatic countries was formally opened on Nov. 11 in the presence of a distinguished gathering representative of the cultures of India, Ceylon, Burma, Siam, China, Japan and Cambodia. Dr. Tagore, in a message, referred to the past spiritual illumination in India and welcomed the memorial on the sacred spot where Lord Buddha first proclaimed his universal message of love. Though it was a Buddhist ceremony the response from Hindus was great. Among those who were present was Pandit Jawararlal Nehru, who is, next to Mahatma Gandhi, the most respected national leader in all India. Messages were sent by Pandit Malaviya, who represents orthodox Hinduism in the public life of the country, and Sir J. C. Bose, the world-famous Indian scientist. The viceroy also sent a message along with certain relics of Gautama Buddha found in Taxila, in the Punjab, which was in ancient times one of the greatest centers of learning and culture.

* * *

St. Francis Xavier's Body Exposed

Goa, one of the small territories that the Portugese still retain in India, which was in the 16th century the scene of the missionary labors of Francis Xavier, the famous Jesuit missionary, will witness next month a festival centering round the exposition of his body which Roman Catholics claim to have been preserved miraculously. He died on the island of San Chan near China on December 2, 1552. But his body, or part of his body, is claimed to have been brought to Goa, and this has been an object of veneration for Roman Catholics all these years. Miracles of healing are reported to happen at the time of the exposition of the body of this saint, which takes place once in ten years.

Roman Catholic pilgrims will pour into Goa in thousands from all parts of India and Ceylon and from foreign countries during December. Hindus also visit the shrine in considerable numbers and give offerings for the fulfilment of their vows and prayers. Non-Roman Christians may not be able to understand all that is behind such religious festivals which the Roman church organizes and maintains. But the Hindus are familiar with such things in their own religion, and a large number

of them make their pilgrimage to Goa in search of some physical boon or gift of health just as they would go to one of their sacred places like Benares or Rameswaram.

* * *

Study Report of Commission On Christian Schools

The committee appointed by the National Christian Council of India to consider the report of the Lindsay commission on Christian higher education in India and to take necessary steps for carrying out the recommendations came together in Nagpur two weeks ago and did important business. Steps are being taken for the formation of a central education committee for all India and provincial education committees whose concern will be the reconstruction of Christian higher education along the lines recommended by the Lindsay commission. The committee was convinced that for such important work of an all-India nature the services of a full-time educationalist are needed. But in view of the financial difficulties in which missions and churches are placed at present it was agreed that arrangement should be made for the time being to carry on the work with the help of an educator whose services may be placed at the disposal of the National Christian council by one or other of the Christian colleges.

P. O. PHILIP.

Americans Back Gandhi

100 Noted Editors, Authors and Professors Support Indian Movement for Dominion Status

Looking toward the organization of "The American Friends of India's Freedom," 100 Americans have gone on record in support of complete freedom for India through the weapon of non-violence, according to announcement by J. B. Matthews, executive secretary of the Fellowship of Reconciliation. Formal organization of this group has already taken place.

"In view of the significance for the whole world of the non-violent struggle for Indian freedom led by Mahatma Gandhi, these Americans are convinced that this movement merits the unqualified support of public opinion throughout the world," Mr. Matthews stated.

"We are not concerned primarily with the administrative form which the independence of India will take. If dominion status carries with it the complete freedom for which the Indian national congress is fighting, such a relationship to England will satisfy the signers of our manifesto," Mr. Matthews explained.

Among the signers of the manifesto supporting Gandhi are the following: John Haynes Holmes, Stephen S. Wise, Oswald Garrison Villard, Norman Thomas, Frederick B. Fisher, Roger Baldwin, Devere Allen, Kirby Page, John Nevin Sayre, Robert Morss Lovett, Charles E. Russell, Reinhold Niebuhr, Bruce Curry, Jerome Davis, Lewis Browne, Tracy D. Mygatt, and Lucia Ames Mead.

Southern Baptist Youth Meet

Temperance and World Peace Considered —Prepare for "Allied Forces"— Mercer University Enlarging

(Correspondence from Atlanta)

ATLANTA, Jan. 11.—The second biennial conference of the Baptist Young People's union of the Southern Baptist convention opens a three day session here Jan. 12. More than 2,500 representatives of young people's unions in churches over the southland are expected to attend the conference. An interesting fact in connection with the session here is that the Baptist Young People's union was organized in Atlanta in 1896 when Baptist leaders undertook the promotion of a strictly denominational young people's program to give emphasis to the whole denominational enterprise and institutions. Christian Endeavor societies had been organized in many Baptist churches prior to the birth of the new young people's organization under the auspices of the Southern Baptist Convention Sunday school board.

A forward-looking program for the conference sessions has been made public with many tried denominational leaders appearing as speakers. Among them are: Dr. I. J. VanNess, general secretary of the Southern Baptist Sunday school board, under whose auspices young people's work is promoted, Dr. Robert G. Lee, pastor of Bellevue church, Memphis, Prof. Kyle M. Yates, professor of Old Testament interpretation at the Southern Baptist theological seminary, Louisville, and others.

Temperance and world peace sentiment will be afforded places in the program of the conference and the general theme of the several sessions will be "Transformed Lives."

* * *

Methodist Pulpit Changes

Two prominent Methodist churches received new pastors recently. Trinity church welcomed to its pulpit Dr. John S. Jenkins, former presiding elder of the South Atlanta district, which was abolished at the last North Georgia conference, and Wesley Memorial church, Methodism's downtown institutional church, welcomed Rev. Felton Williams of Columbus, Ga. Both of these churches are among the strongest in Southern Methodism.

* * *

Joint Meeting of Church Council and Ministers' Association

The first joint meeting of the new year of the Atlanta Christian council and the Evangelical Ministers' association was held Jan. 4. The new officers were heard in the inaugural addresses in which close cooperation for religious advancement was stressed. Dr. W. T. McElveen, pastor of United Congregational - Christian church, is head of the ministerial body and

RELIGION IN LIFE

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Winter, 1932 Vol. I, No. 1.

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Dr. D. P. McGeachy, pastor of Decatur Presbyterian church assumed the leadership of the council. The Christian council is a cooperative body representing all evangelicals of city and maintaining an executive office and secretary.

Plans for vigorous temperance and prohibition programs were laid and special attention given preparations for the rally of the Allied Prohibition forces bringing Dr. Daniel A. Poling and Col. Raymond Robins to Atlanta in February for a citywide meeting.

* * *

Tabernacle Soon to Have New Pastor

The Baptist tabernacle, internationally known stronghold of evangelism and one of the outstanding preaching stations of the south, will welcome their new pastor, Dr. W. H. Knight, former professor of comparative religions at Southwestern Baptist seminary, Fort Worth, Tex., the first Sunday of February. Dr. Knight is the first pastor of this metropolitan church to come from the academic world. He succeeds the late Dr. G. R. McGuire, who died after a four-months pastorate early last summer. He comes to a pulpit occupied by many of the leading evangelists and Bible teachers of America and England, among them being Dr. Len G. Broughton, founder of the church, Dr. G. Campbell Morgan and Dr. Robert Stewart MacArthur.

* * *

Mercer University Endowment Program

The Mercer university endowment commission met here last week for the purpose of perfecting plans for the university endowment drive to be launched next fall. The drive seeks to increase the productive endowment of the school $2,000,000 and add buildings to the campus, which is located at Macon, Ga.

Mercer university, one of the oldest Baptist schools in the south, will celebrate her centennial in the fall of 1933 and the commission hopes to announce the raising of the endowment by that time. The university was founded in 1833 by Rev. Jesse Mercer with the proceeds of an estate left his wife by her first husband, an orthodox Jew.

A. J. Moncrief, Jr.

National Mass Meeting Demands Drastic Cut in Arms

A national mass meeting was held in the Belasco theater, Washington, D. C., Sunday afternoon, Jan. 10, to demonstrate to the U. S. delegation to the disarmament conference at Geneva the public sentiment in this country for a drastic cut in arms. Groups representing business, labor, the churches, and organized women urged that the Geneva delegates work toward universal disarmament. The meeting was called by the Women's international league, which recently presented President Hoover with a disarmament petition gathered by its cross-country peace caravan. Mrs. Gerard Swope of New York was chairman of the honorary committee on arrangements. Dr. Mary E. Woolley was announced to speak, other speakers being Silas Strawn, of Chicago; John A. Simpson, of Oklahoma city, president of the National farmers' union; Miss Lillian Wald, of Henry Street settlement, New York, and Mrs. Sinclair Lewis.

Child Labor Day to Be Observed This Month

The National Child Labor committee, 331 4th avenue, New York, announces that Jan. 23 is the day set for observance of Child Labor day this year in synagogs; Jan. 24, in Sunday schools and churches; Jan. 25, in schools, clubs and other organizations. Details may be obtained by writing the Child Labor committee.

England Observes Day of Prayer

Critical Comment on the Plan—Looking Backward and Forward—Celebrations Due in the New Year

(British Table Talk)

London, Dec. 29.—The first Sunday in the new year is to be kept as a day of prayer throughout the nation. The call has come from the archbishop, the leaders of the Presbyterian and free churches, and the primate of Ireland. There is no doubt that the day will be widely observed. Such days are rarely appointed. The oftener they came, the less significant they would be. No one can entirely escape from the suspicion that many attend church on such occasions, who will not come to pray at other times. It is always worthy of remembrance that in the darkest days of the war, during the retreat from Mons, the prayer meetings were well attended. After the battle of the Marne, when the Germans were held, the attendance grew less. We need something more than occasional days, and it must be in the minds of the leaders of the nation to call the people not to one act of prayer, but to pray without ceasing. But heathen ideas of prayer die hard.

* * *

1931 Seen in Retrospect

The year is nearly over. In the short interval between the years it is possible to look backward, but already the scene is blurred. The year 1931, however, will leave a general impression of mist and gloom. We have passed from one crisis to another, and there is nothing settled. At one time it seemed as if Britain were an unhappy nation above others. But as the year progressed, it became more and more certain that the economic hurricane would spare none of the nations. All seemed to be struggling in a blind and solitary way to keep their own stability, and the more they devised methods for their own salvation, the more they sank into the mire. Those who go back in thought will not forget the fourth Sunday in August, when the labor government came to an end and the national government was formed. The election which followed in due course was the most sensational in recent times, but no one thinks that as yet it has settled anything. It is not in the power of any nation to save itself. . . . The supremely important question does not concern Britain only or even Europe; how is Germany to be treated by the states to which reparations are due? If Germany becomes bankrupt, it will not stand alone. Such considerations may help the representatives of the nations when they meet together, to plan boldly and to face the new facts of the present age. . . . The prospects of the disarmament conference are not bright, but once more if the nations think in terms not of their own interests but of the world, they may move

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at least a step toward disarmament. . . . But the year closes in shadows.

* * *

Some Celebrations that 1932 May Bring

We have a trick of thinking in centuries or jubilees. Every century or half-century the great men and women of the past are allowed a revival. There will be many such celebrations in 1932. It will be 1,300 years since Mohammed died; it is 1,200 years since the followers of the prophet were checked at Tours. It will be 100 years since the reform bill was passed, and England took a decisive step toward democracy, little knowing what that meant. It is 100 years since Sir Walter Scott died, and there is sure to be a great celebration of this very noble writer who was no less noble as a man. In February it will be two centuries from the birth of George Washington, for whom our people have a great admiration and think none the less of his great gifts because they were used against themselves. When we go back to earlier centuries, it is six centuries since William Langland, the poet, was born; three centuries since John Locke was born, and the same year saw the entrance of Samuel Pepys and Sir Christopher Wren. The writers of centenary biographies and notes will have a very good year.

* * *

And So Forth

A mild Christmas, beautifully fine, has been most acceptable. In some sheltered places the hawthorn has been in bloom!

The Spring-Boks, the South African football team, play all-England at Twickenham on Saturday. They are a splendid side and have won universal admiration. England will be proud of its team if they win.

The news from India is disturbing. So far, Mahatma Gandhi has not revealed his mind; the necessity of dealing with lawlessness is uppermost in the mind of this country. The only thing which can really defer the legitimate hopes of India would be an outbreak of violence either directed by one section of India against another, or directed against the British or other officials.

EDWARD SHILLITO.

Dr. Bowie Pays Respects to Mayor Walker

Beginning a series of four sermons at Grace Episcopal church, New York city, two weeks ago, with his general subject "Where Is Our Public Conscience Today?" Dr. W. R. Bowie referred to the Hofstadter committee's investigation as indicating that "there may arise a groundswell of civic indignation which will give us an efficient and public-spirited municipal government." He characterized the present administration as "a government presided over by a perambulating jester."

Rev. H. C. Buell, of Los Angeles, Is Killed in Auto Accident

Rev. Henry C. Buell, minister of Second Presbyterian church, Los Angeles, was struck by an automobile while crossing a street in his city, and died at a local hospital Dec. 31, pneumonia having set in following his injuries. He was 61 years of age. Dr. Buell graduated at McCormick seminary in 1896, and had held several pastorates, his last three being in Santa Paula, Long Beach and Los Angeles, Cal. He was president of the Presbyterian ministers' association of Los Angeles, and chairman of the pension committee of Los Angeles presbytery.

Crime Is Rapidly Decreasing In Chicago

Chief Justice Sonsteby, of the Chicago municipal courts, has recently made public the results of a study of the crime in this city, comparing the fiscal years 1927 and 1931. In 1927 there were 7,766 cases involving six crimes against the person—assault to kill, etc.—as compared with 4,225 cases of the same offenses in 1931; a decrease of 45.5 per cent. In 1927 there were 213 cases of murder as against 101 in 1931; a decrease of almost 50 per cent. For crimes against property—arson, burglary, etc.—there were 12,336 in 1927 as compared with 10,484 cases in 1931. This showing is the more remarkable when it is considered that these figures take no account of the increase of a half-million in the city during the period covered.

Bishop McConnell and General Butler to Debate

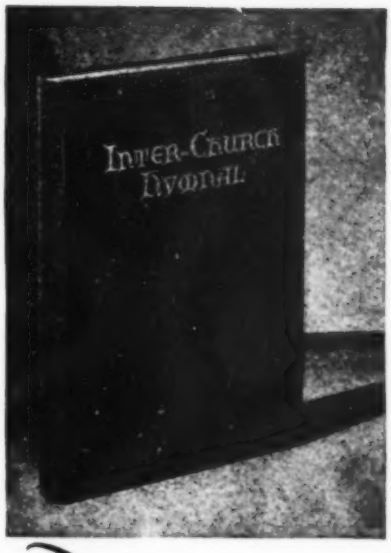
"Shall We Disarm?" will be the subject of a debate between Bishop F. J. McConnell and Gen. Smedley D. Butler, to be held at Mecca temple, New York city, Jan. 30, under the auspices of the Discussion guild. Gen. Butler will contend that peace cannot be promoted by reduction of armaments. Bishop McConnell will take the affirmative and present reasons for giving up the present scale of competitive armaments.

Baptists Young People Awake to New Opportunities

The Baptist Young People's union, through a "proclamation" submitted to the executive committee of the Northern Baptist convention, is planning a thorough revamping of this organization. The proclamation is the result of more than two years' work on the part of a "future plans commission" appointed in 1929. It is the conviction of these leaders that young people's work must include far more than holding prayer meetings and socials, and that a plan should be provided comprehensive enough to include all forms of young people's activity. It is the purpose of these leaders to work for a unifying of the various separate agencies, now functioning within the denomination with and for youth.

University Church Workers Consider "Worship" at Eastern Conference

The eastern conference of church workers in universities and colleges, Herbert E. Evans of Columbia president, will be held Jan. 27-29 at Briercliff Lodge, N. Y. The theme of the conference will be "Worship." Among the special themes for discussion are: worship among students; the mass; worship in a synagog; worship through prayer, architecture, music, drama; worship and ethical living. There will be a church workers' forum, with papers by university pastors on worship experiments now under way.



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Hopeful Signs Seen in Japan

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(Correspondence from Japan)

TOKYO, Dec. 16.—Where are we now? No one in Japan seems to know just where matters stand at present in relation to Manchuria and China and the League of Nations. All seem assured that Japan obtained the better part of the bargain at Geneva and Paris, but that things are in any surer way toward settlement seems a bit doubtful. Meanwhile a change in government has come about and no one knows just what the new Seiyukai cabinet, without anything like a majority in the diet, will attempt to do. Seiyukai traditions are more in keeping with the military policies of the Japanese general staff, and with the chief of staff and war minister working in close collaboration it may be expected they will remain so. Still there is satisfaction in knowing that the previous dualism in government has been resolved, that everyone knows now where the authority rests, and that if, as most people expect, there will soon be further military advances in Manchuria, there can be no dodging of responsibility.

Almost the first act of the new finance minister was to clamp on the gold embargo again, and promptly the yen fell to the lowest level in several years. If a check in American dollars which the writer was unfortunate enough to have cashed just before the yen's tumble were now to be exchanged into Japanese currency, he would receive enough more in yen to pay two months' rent on his home. In the long run, however, whatever advantage there may be in such fluctuation goes only into the coffers of the large banking and business interests, who are often accused of manipulating the situation to their own profit. Then to prevent complete collapse of the nation's economic structure prices must be raised accordingly, and the public always pays. Rice went up a third in price this morning.

* * *

Prospects of the New Government

For all of these reasons few believe the new government can remain long in power, but perhaps it will be long enough to make possible the development of a popular movement for responsible government, world peace, and unrestricted international trade. Even now with the Manchurian situation somewhat less critical and the consequent let-up in war psychology to which we have been subjected for the past few months, it is possible for one without fear of being charged with treason or espionage to say frankly that he believes Japan would have profited more by presenting her complaints over the Manchurian situation before the League of Nations for adjudication than by military aggression. And this is progress. Incidentally I think it is also worthy of note that, for the first time in such an international situation, the Japanese government has not resorted to rigid censorship of foreign correspondence. Let the skeptic hurl his ban; things are getting better.

* * *

Christmas and the New Hymnal

In religious circles all is "preparedness" talk, i.e., "preparedness" for Christmas. It is surprising how Japan has been won to the cult of Santa Claus. If Christianity were only that, our missionary conquest would already be complete. Every street urchin knows "Santa Kurosu Ojii-San" (Grandfather Santa Claus), and even where worship of this paternal deity must take place in front of a department-store window it is rapt and reverent, accompanied by all the usual prayers for drums and dolls and toy guns.

There are, however, some genuine Christian triumphs to be celebrated at Christmas time. One of these is the appearance of the new interdenominational hymnal, upon which the committee has been working so long and arduously. It is a marvel of inclusiveness and appropriateness. Much of the value of the previous hymnal and its supplement have been incorporated in the new volume, and many other hymns, both new and old, Japanese and from many other races and peoples and ages, are given place. The social emphasis heretofore for the most part lacking is now recognized, and in the back of the book—or what would be the front for us westerners—is a finely edited selection of responsive readings, an entirely new feaure. To appreciate the progress that has been made in Japanese hymnology in 60 years one need but consult that remarkable collection of hymnals dating from the time of Hepburn, Verbeck, Goble, and Berry to the present day, now in the possession of Dr. George Allchin. This venerable gentleman served for many years among the Japanese as a missionary of the American board and had large part in the development of their hymnology. He is now again in Japan for a visit and, having completed his collection of historic hymnals and contributed as much as possible to the memorabilia of this peculiarly Christian art of public worship, he will present his findings to Kobe college for women as a perpetual trust for posterity.

* * *

Education Commission Completing Work

The commission on Christian education has almost completed its survey and findings, and some of the American personnel have taken ship to be at home by Christmas. Although it may be too early to announce any of their recommendations, still it is widely felt that their investigations, if not indeed their conclusions, will contribute largely to three definite trends in the religious-education policies of Japanese Christianity: viz., toward (1) the elimination of duplicated effort and expense in secondary schools for boys and for girls; (2) the creation of a union Christian university, or at least of certain departments of schools of advanced grade, the need of united Protestant cooperation in ministerial training and theological research being particularly felt; (3) the concentration of the church's attention upon the masses of students in government and other non-Christian schools, who must be won for Christ through the churches and by special workers and methods rather than through the class room. Any contribution which the commission may make to the realization of these hopes will be of distinct value to the cause, though there are many "adversaries."

* * *

Y Student Work in Decline

While speaking of the students of Japan and their needs, it is significant to note that the Tokyo Student Christmas rally, held annually by the student departments of the Y. W. and the Y. M. C. A., was the smallest this year since the custom of such a service was established in 1925 with Dr. John R. Mott as speaker. At that first rally over 3,000 students were assembled in a rented public hall and enthusiasm ran high, many regarding that meeting as the birthplace of the Japanese Student Christian movement. Since then every year has seen the crowd growing smaller, until last Sunday in Central Methodist tabernacle not more than 150 attended to hear Dr. Yoshimune Abe, president of the National Y. M. C. A. council, dean of Aoyama theological school, and recently returned from wide travel in Canada and the United States. This marked decline in student interest in such a significant annual service is causing leaders of youth in Japan much serious thought. It either means that, despite all our efforts, Christianity is losing ground among the future leaders of Japan, or it means that because of the enthusiastic sectarian efforts of all of us Christian workers, including those of the Y. M. C. A. and Y. W. C. A., neither we nor our student disciples are willing to shelve our differences and pool our energies sufficiently to stand united before a hostile world even once a year in observance of the birthday of our Lord. This writer believes the latter is the real cause of much of our ineffectiveness in witnessing for Christ, both at home and abroad.

T. T. BRUMBAUGH.

Dr. J. A. Mackay to Lecture at Princeton Seminary

Dr. John A. Mackay, leading Protestant missionary in South America, will deliver the annual lectures on the student foundation for lectures on foreign missions at Princeton seminary Jan. 25-29. His subject will be "The Other Spanish Christ: A Study of the Spiritual History of Spain and South America." Dr. Mackay graduated at Princeton seminary with the class of 1915; he has won international fame during the past decade in Latin America, where he has been especially successful in the universities.

Clothing and Food Needed in Bituminous Coal Fields

James Myers, industrial secretary of the Federal council, wires that a tour of inspection of the coal fields in West Virginia and Kentucky reveals that at least

25,000 children need food and warm clothing. Some evicted families are found living in tents; blankets and quilts are needed. Aid is asked at once. Clothing should be shipped (prepaid) from the east to American Friends Service committee, 1515 Cherry street, Philadelphia; from the west to American Friends Service committee, Morgantown, W. Va. Checks should be made out and mailed to Olive Van Horn, Treasurer, Coal Areas Relief, 105 E. 22d street, New York.

Bishop R. J. Cooke, Methodist Leader, Dies at 78

Dr. Richard J. Cooke, bishop of the Methodist church, died at his home in Athens, Tenn., on Christmas day, at 78 years of age. He had suffered a stroke of apoplexy in November. Bishop Cooke was ordained in the Methodist ministry in 1876. He was professor of New Testament exegesis and historical theology at Chattanooga university from 1889 to 1912, and edited the Methodist Advocate-Journal from 1891 to 1912; was book editor of the Methodist church for eight years. He was elected to the bishopric in 1912. Bishop Cooke was resident at Helena, Mont., for four years, and at Portland, Ore., for a like period. He retired in 1920 because of poor health.

A New Peace Pageant, "It Shall Not Be Again"

A class in pageant construction conducted by Fred Eastman and Cecil M. Smith, at Chicago seminary, has prepared a peace pageant entitled "It Shall Not Be Again." It is very effective throughout. Reprints of the pageant may be obtained at 20 cents each from the Religious Drama office of the seminary at 5757 University avenue, Chicago.

George W. Coleman Quits Social Union Chairmanship

George W. Coleman, for 30 years chairman of the Christian work committee of the Boston Baptist social union, has resigned this position. During these years Mr. Coleman and his committee have administered the fund left by Daniel S. Ford more than 25 years ago. Under his personal guidance the Ford hall forum was organized and grew to importance and fame. When the committee discontinued its financial backing, the forum, under Mr. Coleman's leadership, became a community enterprise. It is in its 24th year, and was never more successful than at present.

Alden-Tuthill Lectures at Chicago Seminary

Dr. Clifford Manshardt will be the Alden-Tuthill lecturer this year at the Chicago theological seminary. Dr. Manshardt has recently returned from Bombay, where he conducts for the American board a unique social settlement—the Nagpada neighborhood house, located between the thieves' quarters and the red-light district of Bombay. The general topic chosen for his lectures by Dr. Manshardt is "A Christian Approach to a Changing World," and the three lectures bear these titles: "What is the World Situation Doing to Missions?" (Jan. 26); "Dilemmas Confronting Christianity in India" (Jan. 27); "What Will Succeed Religious Imperialism?" (Jan. 28).

The New Films

These summaries and evaluations are supplied by the National Film Estimate service. Estimates are for three groups: A, intelligent adults; Y, youth (15-20 years); C, children (under 15 years).

Anybody's Blonde.

(Dorothy Revier) (Action) Cheap concoction of crooked prize-fighting, night club villains and cabaret girls—with mediocre acting and crude direction as chief features.

A: Worthless. Y: No. C: No.

Cock O' the Air.

(Billie Dove, Chester Morris) (U. A.) Artificial, largely silly and absurd story exploiting seductive power of heroine who makes Paris "unsafe for officers on leave." Banished to Italy she meets hero, also supposedly irresistible, and both succumb. Highly objectionable and ridiculous.

A: Trashy. Y: Pernicious. C: No.

Manhattan Parade.

(Winnie Lightner, Charles Butterworth) (Warner) Lively farce, all technicolor, burlesquing theatrical production on Broadway, stuffed with slang and low comedy of bellowing-voice type which drowns all character interest. Dialogue and action merely crude and common, not offensive. Many laughs, little humor.

A: Hardly. Y: Funny but cheap. C: Hardly.

Safe in Hell.

(Dorothy Mackaill) (First National) Sensational, preposterous yarn about scarlet heroine reformed by true love; left by husband on tropic isle among ruffians; waits faithfully; finally walks deliberately to gallows to keep faith. Hectic, absurd, heroism badly overdone.

A: Trashy. Y: Certainly not. C: No.

Unexpected Father, The.

(Slim Summerville) (Universal) Newly-rich, very dumb bachelor accidentally becomes "daddy" to tiny orphan girl and hires dumb nurse. Situation spoils his planned marriage into a gold-seeking family, so he marries the nurse. Elementary humor, naive acting.

A: Mildly amusing. Y: Funny. C: Funny.

X Marks the Spot.

(Lew Cody, Sally Blane) (Tiffany) Newspaper-gangster thriller, with little distinction in its acting, slangy dialogue that is breezy but without spark. Villain's hold on hero prevents solution of crime until melodramatic and improbable ending. On the whole unobjectionable.

A: Mediocre. Y: Fair. C: No.

Working Girls.

(Charles Rogers, Paul Lukas) (Paramount) Simple, direct story of boarding-house life, which tries to be realistic and not sensational, but made worthless by naive direction, stupid dialogue, and very dull acting. Paul Lukas wasted.

A: Stupid. Y: Poor. C: No.

Forbidden.

(Barbara Stanwyck, Adolph Menjou) (Columbia) Mature problem play that avoids cheapness and vulgarity and achieves convincing though depressing reality. Lonely heroine meets lonely hero in gay Havana and liaison lasts till she learns hero was married man. Separation, child, tragic ending. Menjou good.

A: Good of kind. Y: Unsuitable. C: No.

BOOKS RECEIVED

Symphonic Broadcasts, by Olin Downes. Lincoln Mac Veagh, $2.50.
Representative Opinions of Mr. Justice Holmes, arranged, with notes, by Alfred Lief. Vanguard, $4.50.
William Howard Taft, a Character Study, by Edward H. Cotton. Beacon Press, $1.50.
Personal Power, No. 1, by Frank Nelson. Author, Lakewood, O., 25 cents.
Ask What Ye Will, by Flavia Gaines Leitch. Pilot Press, Los Angeles.
Why Are We Wet? by E. L. Eaton. International Reform Federation, Washington, D. C., 50 cents.
Kitchen Sonnets and Lyrics of Domesticity, by Ethel Romig Fuller. Metropolitan Press, Portland, Ore., $1.50.
Friendly Firs, by Anthony Euwer. Metropolitan Press, Portland, Ore., $1.50.
A Modern Theism, by Minot Simons. Beacon Press, $1.75.
New Life Through God, by Toyohiko Kagawa. Revell, $1.50.
Psychology at Work, edited by Paul S. Achilles. Whittlesey House, McGraw-Hill, $2.50.
The Conscription of a People, by the Duchess of Atholl. Columbia University Press, $2.50.
Social Aims in a Changing World, by Walter G. Beach. Stanford University Press, $1.75.

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Summer Session:
FIRST TERM: JUNE 13—JULY 16
SECOND TERM: JULY 18—AUGUST 20

Yes!

Henry Nelson Wieman, Ph.D.

Professor of the Philosophy of Religion, University of Chicago. Author: "Religious Experience and Scientific Method," "The Wrestle of Religion with Truth," "Methods of Private Religious Living," etc. B. A. Park College, Mo. San Francisco Theo. Sem.; Univ. of Heidelberg; Ph.D. Harvard; D.D. Park College; Litt.D. Occidental College. Born, Missouri. An original mind, as daring as it is devout!

No!

Max Carl Otto, Ph.D.

Professor of Philosophy, University of Wisconsin. Author: "Things and Ideals," "Natural Laws and Human Hopes," etc. B.A., M.A. and Ph.D., University of Wisconsin. Also studied at University of Chicago and Heidelberg. Born in Germany. Member of faculty of University of Wisconsin since 1910; Professor of Philosophy there since 1921. As sincere as he is iconoclastic!

Is there a GOD?

Yes!

Douglas Clyde Macintosh, Ph.D.

Professor of Systematic Theology, Yale University. Author: "The Problem of Knowledge," "God in a World at War," (1918); "The Reasonableness of Christianity," etc. M.A., McMaster University, Toronto; Ph.D., University of Chicago; D.D., Colgate. Born, Ontario. Would like to be a citizen of the United States but was denied naturalization by the Supreme Court in a 5 to 4 decision because he would not abdicate his conscience!

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